



U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL

Compendium of Unimplemented Recommendations as of March 31, 2012

Report No. 12-N-0434

April 30, 2012



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Abbreviations

ARRA	American Recovery and Reinvestment Act of 2009
BOSC	Board of Scientific Counselors
EPA	Environmental Protection Agency
FY	Fiscal Year
GDA	Georgia Department of Agriculture
GEPD	Georgia Environmental Protection Division
GSA	General Services Administration
ICIS	Integrated Compliance Information System
IFMS	Integrated Financial Management System
InSURE	Information Security Unified Risk Environment
MATS	Management Audit Tracking System
MOA	Memorandum of Agreement
NCP	National Contingency Plan
NPDES	National Pollutant Discharge Elimination System
OA	Office of the Administrator
OAR	Office of Air and Radiation
OARM	Office of Administration and Resources Management
OCFO	Office of the Chief Financial Officer
OCSP	Office of Chemical Safety and Pollution Prevention
OECA	Office of Enforcement and Compliance Assurance
OEI	Office of Environmental Information
OEM	Office of Emergency Management
OIG	Office of Inspector General
OMB	Office of Management and Budget
ORD	Office of Research and Development
OSWER	Office of Solid Waste and Emergency Response
OW	Office of Water
TPH	Total Petroleum Hydrocarbons

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

THE INSPECTOR GENERAL

April 30, 2012

MEMORANDUM

SUBJECT: Compendium of Unimplemented Recommendations as of March 31, 2012
Report No. 12-N-0434

FROM: Arthur A. Elkins, Jr.

A handwritten signature in black ink, appearing to read "Arthur A. Elkins, Jr.", is written over the printed name.

TO: Deputy Administrator
Assistant Administrators
Regional Administrators
General Counsel
Chief Financial Officer
Associate Administrators

Attached is the semiannual *Compendium of Unimplemented Recommendations as of March 31, 2012*, prepared by the Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA). This Compendium fulfills the requirement of the Inspector General Act of 1978, as amended, to prepare semiannual reports summarizing the activities of the OIG that include an identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed. This report contains significant recommendations with corrective actions that are past the planned completion date and those with corrective actions that have future planned completion dates. Starting with this Compendium report, corrective actions are being reported as past due if they have not been completed within 1 year of the original planned date or the extended plan date established by September 30, 2011.

This Compendium is issued in conjunction with the *Semiannual Report to Congress October 1, 2011–March 31, 2012* and as a separate report to EPA leadership. It is part of the OIG's follow-up strategy to promote robust internal controls. Follow-up is done in collaboration with the EPA Office of the Chief Financial Officer and EPA audit follow-up coordinators. The goal is to improve overall audit management by increasing EPA managers' awareness of outstanding agreed-to commitments for action on OIG report recommendations. Implementing these recommendations will correct weaknesses, reduce vulnerabilities to risk, and leverage opportunities for improved performance.

The significance of audit follow-up, as described by the Office of Management and Budget (OMB) Circular A-50, is enhanced by the public's expectation for greater transparency and a heightened interest by Congress in realizing potential opportunities for improvement in the federal government. The OIG's previous Compendium reports appear to be increasing Agency awareness of and action on unimplemented OIG recommendations.

The unimplemented recommendations listed in this Compendium were selected based on their significance and their status in EPA's Management Audit Tracking System. In addition, some unimplemented recommendations were identified through review by the OIG.

According to OMB Circular A-50, audit follow-up is a shared responsibility between the Agency and the OIG. We will continue to identify unimplemented recommendations for attention and action, as well as remove the previously reported unimplemented recommendations when appropriate information of completion is provided. We hope that you find this tool useful in identifying ways to further improve Agency operations.

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Introduction

Purpose

Section 5(a) of the Inspector General Act of 1978, as amended (5 U.S.C. App. 3), requires each Inspector General to issue semiannual reports to Congress and include “an identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed.” The Office of Inspector General (OIG) prepares the Compendium of Unimplemented Recommendations (Compendium) to satisfy this requirement. The Compendium highlights for U.S. Environmental Protection Agency (EPA) management those significant recommendations that have remained unimplemented past the date agreed upon by EPA and the OIG. It also provides a listing of all of the other significant recommendations with future completion dates. This Compendium is being issued in conjunction with the OIG Semiannual Report to Congress for the reporting period October 1, 2011, through March 31, 2012. The Compendium helps Agency management stay informed about EPA’s outstanding commitments, and its progress in taking agreed-upon corrective actions on OIG recommendations to improve programs and operations.

Background

Recommendations are issued by EPA’s OIG to improve the economy, efficiency, effectiveness, and integrity of EPA programs and operations. Office of Management and Budget (OMB) Circular A-50, *Audit Followup*, provides that corrective action taken by management on resolved findings and recommendations is essential for improving the effectiveness and efficiency of government operations. It states that audit follow-up is a shared responsibility of agency management officials and auditors and further defines their respective roles.

OMB Circular A-50 requires each agency to establish systems to ensure the prompt and proper resolution and implementation of audit recommendations. EPA Order 2750, based on OMB Circular A-50, details EPA’s policy and procedures on audit follow-up. The Chief Financial Officer is the Agency Audit Follow-Up Official and has responsibility for Agency-wide audit resolution and ensuring action officials implement corrective actions. EPA uses the Management Audit Tracking System (MATS) to track information on Agency implementation of OIG recommendations. The Office of the Chief Financial Officer maintains and operates MATS. Report data, such as the title, issue date, and recommendations, are downloaded into MATS from the Inspector General Enterprise Management System (IGEMS).

The Audit Management Official in the Office of the Administrator, the Office of General Counsel, and each Assistant Administrator’s or Regional Administrator’s office designates an Audit Follow-Up Coordinator for that office. Audit Follow-Up Coordinators are responsible for quality assurance and analysis of data in the tracking system. When all corrective actions in response to recommendations in an audit report are completed and certified, the Agency may inactivate that report’s MATS file, and it is no longer tracked by the Audit Follow-Up Coordinator. The Agency self certifies that corrective actions are completed. The Agency is also

responsible under the Inspector General Act for reporting on audit reports for which final corrective action has not been taken 1 year or more after the Agency's management decision (agreement with the OIG on planned corrective actions).

This Compendium identifies seven past due unimplemented recommendations from three reports, compared with eight past due unimplemented recommendations from seven reports identified for the period ending September 30, 2011. Of the seven unimplemented recommendations reported in this Compendium, two were included in the previous Compendium and five are newly identified. We removed six unimplemented recommendations from six reports that were included in the previous Compendium. Removal of an unimplemented recommendation does not mean that it was verified as implemented but rather that it was reported as being completed by the Agency in MATS.

Scope and Methodology

The work performed in this review does not constitute an audit conducted in accordance with generally accepted government auditing standards issued by the Comptroller General of the United States. Although MATS was our primary source for identifying unimplemented recommendations, we did perform additional steps to search for unimplemented recommendations that may not have been identified in MATS.

We reviewed selected audit and evaluation reports issued by the EPA OIG from October 1, 2000, through September 30, 2011, to identify significant unimplemented recommendations for inclusion in the Compendium. However, we did not identify any significant unimplemented recommendations from fiscal years (FYs) 2003 and 2004. We did not review recommendations from reports without an OIG agreement on the Agency's corrective action plan (Management Decision). A list of the reports without a management decision can be found in appendix 2 of the EPA OIG Semiannual Report to Congress.

We limited the consideration of unimplemented recommendations to those we believe were significant because they could have a material impact on the economy, efficiency, effectiveness, and integrity of EPA programs and operations. For this purpose, we define significant recommendations in the following terms:

- **Economy:** Opportunity to save, prevent loss, or recover at least \$500,000 in monetary costs or value.
- **Efficiency:** Improvement in the process, capacity, accessibility, or delivery of program objectives and the elimination of unnecessary or unproductive actions or expenses.
- **Effectiveness:** Improvement in the quality of, or reduction in the risk to, public health and the environment.
- **Integrity:** Improvement in operational accountability, enforcement of and compliance with laws and regulations, and security of resources for public confidence.

The Compendium consists of two sections: (1) unimplemented recommendations that are past the agreed-to completion dates, and (2) unimplemented recommendations with future planned completion dates. During the prior Compendium reporting period, the OIG discontinued its

practice of requiring the Agency to obtain the OIG's agreement for extending an agreed completion date for a corrective action for a period of 6 months or more. As a result, the OIG has established new guidelines for determining recommendations to be reported as past due. The OIG began using these guidelines in this Compendium review. Under the new guidelines, the OIG considers a recommendation past due if the associated corrective action was not completed within 1 year of the original agreed upon date or the extended date established by September 30, 2011.

The following EPA offices have unimplemented recommendations with past due dates listed in this Compendium:

- Office of Administration and Resources Management (OARM)
- Office of the Chief Financial Officer (OCFO)

The following EPA offices have unimplemented recommendations with future planned completion dates in this Compendium:

- Office of the Administrator (OA)
- Office of Administration and Resources Management (OARM)
- Office of Air and Radiation (OAR)
- Office of Chemical Safety and Pollution Prevention (OCSPP)
- Office of the Chief Financial Officer (OCFO)
- Office of Enforcement and Compliance Assurance (OECA)
- Office of Environmental Information (OEI)
- Office of Research and Development (ORD)
- Office of Solid Waste and Emergency Response (OSWER)
- Office of Water (OW)
- Region 2
- Region 3
- Region 4
- Region 7
- Region 8
- Region 9

We anticipate that the Agency will provide updates in MATS on the status of each unimplemented recommendation to include a description of progress and an explanation of the delay in completing an agreed-to action.

Part One: Unimplemented Recommendations With Past Due Completion Dates

Action Office: OCFO
Report Title: Audit of 2009 and 2008 (Restated) Consolidated Financial Statements
Report No.: 10-1-0029
Date Issued: 11/16/2011

Report Summary

The OIG rendered an unqualified opinion on EPA's Consolidated Financial Statements for FYs 2009 and 2008 (restated), meaning that they were fairly presented and free of material misstatement. The OIG noted the following three material weaknesses:

- EPA understated accounts receivable for FY 2008.
- EPA understated unearned revenue.
- Improvement is needed in billing costs and reconciling unearned revenue for Superfund State Contract costs.

The OIG also noted the following eight significant deficiencies:

- EPA misstated uncollectible debt and other related accounts.
- EPA needs to improve billing and accounting for accounts receivable.
- Headquarters property items were not inventoried.
- EPA should improve its financial statement preparation process.
- Unneeded funds were not deobligated timely.
- Improvement is needed in managing data system's user accounts.
- Las Vegas Finance Center needs improved physical access controls.
- Customer Technology Solutions equipment needs improved planning.

The OIG noted one noncompliance issue, involving EPA's need to continue efforts to reconcile intra-governmental transactions.

Unimplemented Recommendations

Recommendation 10: We recommend that the Office of the Chief Financial Officer create a receivable billing document matrix to reflect a proper accounting model to record standard voucher adjustments and the movement of accounts from expiring or cancelled appropriations. Also, review the net impact of adjusting entries prior to issuing an accounting model to ensure account balances are proper.

Status: OCFO's Office of Financial Management Reporting and Analysis Staff planned to continue to review the impact of accounting entries including standard vouchers for billing documents, provide accounting models as needed, and provide technical advice as

appropriate. At this time, the Reporting and Analysis Staff does not plan to provide additional documentation. The planned completion date was June 30, 2010. This corrective action is past due.

Recommendation 11: We recommend that the Office of the Chief Financial Officer review its accounting model provided to Servicing Finance Offices for net impact to expenses and revenues from prior periods to ensure that financial statements are not misstated.

Status: OCFO/Office of Financial Management/Reporting and Analysis Staff planned to take action to review the impact of accounting entries, provide accounting models as needed, and provide technical advice as appropriate. The planned completion date was June 30, 2010. This corrective action is past due.

Recommendation 18: We recommend that the Assistant Administrator for Administration and Resources Management require the Director, Facilities Management and Services Division to promptly conduct an inventory of the 1,804 Headquarters Accountable Property items not inventoried in Fiscal 2009.

Status: The Property Team issued a message to all Property Management Officers as well as the Headquarters Custodial Officers on November 10, 2009, and December 1, 2009, to request a complete inventory of all equipment replaced at headquarters. At the conclusion of these activities, the Property Team planned to conduct a complete reconciliation process and any outstanding items of personal property would be tracked and accounted for in the Integrated Financial Management System (IFMS) and the Fixed Assets Subsystem. A comprehensive inventory of all headquarters personal property initiated in December 2009 was to be completed by May 28, 2010. This corrective action is past due.

Recommendation 27: We recommend that the Office of the Chief Financial Officer ensure that all new financial management systems (including the IFMS replacement system) and those undergoing upgrades include a system requirement that the fielded system include an automated control to enforce separation of duties.

Status: The Office of Financial Management's Financial Policy and Planning Staff and Office of Technology Solutions (with Applications Management Staff) planned to take action to develop and implement a procedure, linked to OEI's System Life Cycle Management procedures, by September 30, 2010, that ensures all new financial management systems and those undergoing upgrades include a system requirement that the fielded system include an automated control to enforce separation of duties. Since that time, EPA has made significant strides to complete corrective actions associated with the segregation of duties issue noted during the FY 2009 financial statement audit. The Agency has implemented a segregation of duties policy, and detective system controls do exist. However, EPA has not provided sufficient documentation to show that the new Agency financial management system includes automated controls to enforce separation of duties. OCFO has not provided a new planned completion date. This corrective action is past due.

Recommendation 32: We recommend that the Office of the Chief Financial Officer ensure that all new financial management systems (including the IFMS replacement system) and those undergoing upgrades include a system requirement that the fielded systems have an automated control in place to provide a failsafe that links to the Human Resources data to identify and disable terminated/transferred personnel in the system in a timely manner.

Status: EPA has not implemented any corrective actions in response to this recommendation. EPA has indicated that no further actions have been taken due to reevaluation of the business case for a new human resources system. The planned completion date was September 30, 2010. This corrective action is past due.

Action Office: OARM
Report Title: Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privilege
Report No.: 10-P-0002
Date Issued: 10/07/2009

Report Summary

We found an unauthorized, full-time work-at-home arrangement that has existed for 9 years and allows a National Enforcement Training Institute employee to work from home in Ohio instead of an office in Washington, DC. The employee and position were originally located in the Washington area and the employee later moved as the result of a spouse transfer. In our opinion, the National Enforcement Training Institute's actions are for the benefit of a single employee as opposed to being primarily in the interest of the government, and this action was not equitably provided within the institute. EPA has no established or consistent policy, procedure, or criteria for granting full-time work-at-home privilege, and appears to be preferentially available to only a few employees. Neither OARM nor the National Enforcement Training Institute has any written documentation showing the government interest in or appropriateness of making this arrangement, or that senior OARM officials approved this action.

Office of Human Resources personnel (the Associate Deputy Director of Program Management and Communications and the Agency Telework Coordinator) stated that EPA became aware of similar arrangements due to research it performed for an unrelated court case. OARM raised concerns about equity in such arrangements, and believes this must be brought under control. To date, OARM has not corrected this situation.

Recommendations

Recommendation 2a: We recommend that the Assistant Administrator for OARM establish and implement Agency policy for all EPA employees that clearly articulates the process and procedures for changing an employee's duty station to a location geographically separate from the position of record.

Status: OARM has been working to address the official worksite designation issue for situations where employees' are assigned to geographically separate locations. As OARM anticipated, it has taken time to build the considerable cross program and regional support that it believes is needed to effectively implement the new draft policy. The planned completion date was June 20, 2011. This recommendation is past due.

OARM informed the OIG that it continues to aggressively coordinate across the Agency's program and regional offices to develop and finalize the telework policy that formalizes procedures for changing an employee's duty station to a location geographically separate from the position of record. OARM expects to complete the final telework policy by December 31, 2012. This includes a directive clearance review process with an expected completion date of July 30, 2012, and a union notification and review process expected completion date of September 30, 2012.

Action Office: OARM
Report Title: EPA Plans for Managing Counter Terrorism/Emergency Response Equipment and Protecting Critical Assets Not Fully Implemented
Report No.: 09-P-0087
Date Issued: 01/27/2009

Report Summary

On April 26, 2006, we issued an audit report, *EPA Needs to Better Implement Plan for Protecting Critical Infrastructure and Key Resources Used to Respond to Terrorist Attacks and Disasters*. It contained findings and recommendations for improving implementation of the initiatives in EPA's Critical Infrastructure and Key Resources Protection Plan and managing its Counter Terrorism/Emergency Response equipment. A follow-up audit was warranted, given the nature and importance of the prior report recommendations. We conducted this audit to determine whether EPA effectively implemented corrective actions to address findings and recommendations in our previous report. EPA has progressed in implementing the Counter Terrorism/Emergency Response initiatives, but is behind schedule in implementing the Radiation Ambient Monitoring System. EPA has not fully implemented a national equipment tracking system. Not having a functional national system to track and manage equipment may impair EPA's ability to protect public health and the environment in the event of another terrorist attack or other nationally significant incident. The report was issued to OAR, OARM, OSWER, and OCFO.

Unimplemented Recommendations

Recommendation 4-1(b): We recommend that the Assistant Administrators for Solid Waste and Emergency Response and for Air and Radiation, in conjunction with the Office of the Chief Financial Officer, review the information in MATS for the prior audit and ensure it is accurate, current, and complete for the remaining corrective actions to upgrade facility and hardware to analytical lab in Las Vegas.

Status: In the April 23, 2009, response to the final audit report, OARM was designated as the action official for the implementation of this recommendation. The completion of the Office of Radiation and Indoor Air's Radiation and Indoor Environments laboratory in Las Vegas has been placed on hold. This is due to a longer-range effort to construct a combined facility for all EPA programs in Las Vegas, including ORD's and the Office of Radiation and Indoor Air's laboratories. The Facilities Management and Services Division within OARM's Office of Administration has responsibility for completing this action. After December 2012, OARM will have a better idea in terms of funding for such a facility. OARM's planned milestone date for the completion of construction on the new lab is April 30, 2013. The original agreed-to completion date was June 30, 2011.

Part Two: Unimplemented Recommendations with Future Planned Completion Dates

Action Office: Region 9
Report Title: Region 9 Technical and Computer Room Security Vulnerabilities Increase Risk to EPA's Network
Report No.: 11-P-0725
Date Issued: 09/30/2011

Recommendations

Recommendation 4: We recommend that the Senior Information Official, Region 9, acquire and install locking computer cabinets to secure rack-based information technology assets.

Planned Corrective Action: As Region 9 designs and moves to its new Regional Computer Room, it plans to install locking computer cabinets.

Agreed-to Completion Date: March 31, 2014

Recommendation 5: We recommend that the Senior Information Official, Region 9, develop and implement policies and procedures associated with controlling access to the keys to each of the computer cabinet locks based on least privilege.

Planned Corrective Actions: Region 9 created a plan of action and milestones in the Automated Security Self-Evaluation and Remediation Tracking tool to develop and implement a policy for physical and environmental security for the Regional Computer Room. The Information Security Officer will seek guidance and work with the Region 9 Regional Security Representative to develop and implement the computer room policies and procedures as related to the monitoring of the physical access to the critical assets within the computer room. This policy will address controlling access to the keys to each computer cabinet locks based on least privilege.

Agreed-to Completion Date: May 12, 2012

Recommendation 6: We recommend that the Senior Information Official, Region 9 acquire and securely implement new video surveillance system to monitor the Region 9 computer room.

Planned Corrective Actions: As Region 9 designs and builds the new Regional Computer Room, it will acquire and securely implement a new video surveillance system. The region has consulted with the Lease Project Manager as to whether this system can be included in the Program of Requirements for the new leased space. In the meantime, Region 9 will get quotes for how much it will cost to replace its current system.

Agreed-to Completion Date: March 31, 2014

Recommendation 7: We recommend that the Senior Information Official, Region 9, develop and implement computer room video surveillance policies and procedures related to monitoring the physical access to the critical assets within the computer room including, but not limited to, detailed procedures that specify:

- (a) How long the video footage should be maintained
- (b) How the video surveillance reviews should be performed
- (c) When the video footage should be reviewed
- (d) The groups and persons responsible for reviewing the video surveillance footage

Planned Corrective Actions: Region 9 created a plan of action and milestones in the Automated Security Self-Evaluation and Remediation Tracking tool to develop and implement a policy for physical and environmental security for the Regional Computer Room. The Information Security Officer will seek guidance and work with the Region 9 Regional Security Representative to develop and implement the computer room policies and procedures as related to the monitoring of the physical access to the critical assets within the computer room. This new policy will address how to manage the video surveillance system.

Agreed-to Completion Date: April 30, 2012

Action Office: OA, OSWER, and ORD
Report Title: EPA Progress on the 2007 Methamphetamine Remediation Research Act
Report No.: 11-P-0708
Date Issued: 09/27/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response and the Assistant Administrator for Research and Development establish a plan to implement the Meth Act requirements and inform Congress which requirements will not be met or will be delayed.

Planned Corrective Actions: ORD has developed a research plan to identify critical needs related to the implementation of the Meth Act requirements. Working with the Office of Congressional and Intergovernmental Relations and OSWER, ORD will provide an update on its current activities related to the meth research requirements outlined in the Meth Act. Updates will continue after completion of the research project. ORD has conducted a literature review and begun work on a high priority research project, decontamination with hydrogen peroxide, that will assist OSWER in updating its guidelines.

Agreed-to Completion Date: June 30, 2012

Recommendation 2: We recommend that the Assistant Administrator for Solid Waste and Emergency Response and the Assistant Administrator for Research and Development address the following issues in the next update to the voluntary remediation guidelines:

- (a) Clarification of whether meth lab waste can legally be disposed of as Household Hazardous Waste.
- (b) Availability of EPA Local Governments Reimbursement funding to pay for meth lab cleanup.
- (c) Information on websites containing lists of former meth lab sites.
- (d) Consideration of children's health and environmental justice.

Planned Corrective Actions: OSWER will update the guidelines to consider the definition of Meth lab waste as Household Hazardous Waste, as well as update Local Governments Reimbursement for meth cleanup, any additional websites with meth lab sites, and children's health and environmental justice issues. OSWER's Office of Resource Conservation and Recovery is the lead office in redefining meth lab waste as Household Hazardous Waste, and OSWER's Office of Emergency Management will coordinate with the Office of Resource Conservation and Recovery appropriately to update this.

Agreed-to Completion Date: December 31, 2012

Recommendation 3: We recommend that the Associate Administrator for Congressional and Intergovernmental Relations and the Associate Administrator for Policy develop internal controls to ensure that legislative requirements are identified and tracked, and that their status is reported to Congress as required.

Planned Corrective Actions: EPA continues to work on developing a system to track reports to Congress. The Associate Administrators for the Office of Congressional and Intergovernmental Relations and Office of Policy have both assigned staff for this effort. EPA has initiated discussions about possible ways for tracking reports to Congress broadly, and is examining existing Agency tracking systems to see if any of them could be of any use in this context. The Office of Congressional and Intergovernmental Relations is the lead for this corrective action.

Agreed-to Completion Date: September 30, 2012

Action Office: OSWER
Report Title: EPA Should Clarify and Strengthen Its Waste Management Oversight Role With Respect to Oil Spills
Report No.: 11-P-0706
Date Issued: 09/26/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response, from lessons learned in response to this Spill of National Significance (the Deepwater Horizon Oil Spill in the Gulf of Mexico): (a) work with other federal partners to determine whether the National Contingency Plan (NCP) and National Response Framework should be updated to include processes for waste management oversight in response to nationally significant oil spills, including EPA's role as a supporting agency in offshore spills; (b) work with other federal partners to complete guidance for waste management oversight in Agency Contingency Plan; and (c) develop a model waste management plan that includes provisions for including all states and facilities involved in the response, definition of roles and responsibilities for all authorized stakeholders, and an exit strategy for decommissioning waste management oversight activities.

Planned Corrective Action A: EPA will develop waste management oversight procedures for Agency Contingency Plans for responses to Spills of National Significance.

Agreed-to Completion Date: December 31, 2012

Planned Corrective Actions B: EPA proposes to meet with the U.S. Coast Guard before January 31, 2012, to discuss the development of guidance on this subject for use by the Regional Response Teams in updating their Regional and Area Contingency Plans. EPA will commit to producing a draft guidance document for field testing by January 2013.

Agreed-to Completion Date: January 31, 2013

Planned Corrective Action C: Prepare final waste management plan.

Agreed-to Completion Date: June 29, 2012

Recommendation 3: We recommend that the Assistant Administrator for Solid Waste and Emergency Response update EPA's 2002 guidance on the Exploration and Production waste exemption to include circumstances under which Exploration and Production waste could be managed or disposed of differently, including during applicable oil spills. Incorporate into any lessons-learned review a discussion of EPA opinions and procedures for overseeing and handling waste from this spill, including those wastes subject to the Exploration and Production exemption.

Planned Corrective Actions: Prepare final Exploration and Production memo.

Agreed-to Completion Date: June 29, 2012

Action Office: OEI and OARM
Report Title: EPA's Contract Oversight and Controls Over Personal Computers Need Improvement
Report No.: 11-P-0705
Date Issued: 09/26/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Environmental Information and Chief Information Officer review and/or modify the Customer Technology Solutions' contract to adjust the minimum standard seat requirement to eliminate monthly payments for Customer Technology Solutions' computers that EPA does not order.

Planned Corrective Action: OEI will award the New Desktop Support Contract.

Agreed-to Completion Date: June 30, 2012

Recommendation 2: We recommend the Assistant Administrator for Administration and Resources Management update the property manual to require the separation of duties in property staff positions and consider assigning permanent property positions throughout the Agency to ensure that there are safeguards over EPA's assets.

Planned Corrective Action: The Agency will include information on adjustment to the required separation of property roles and segregation duties in the revision of EPA's Personal Property and Procedures Manual.

Agreed-to Completion Date: February 29, 2012 (corrective action will be considered past due as of February 29, 2013)

Recommendation 3: We recommend the Assistant Administrator for Administration and Resources Management develop and implement a process that would require property staff to routinely review and update Fixed Assets Subsystem data.

Planned Corrective Action 2: The Agency will complete a second review to eliminate any discrepancies during the implementation of the new property tracking system in FY 2012.

Agreed-to Completion Date: October 31, 2012

Planned Corrective Action 3: The Agency plans to develop a regular program of data reviews in conjunction with field audits of accountable areas. OARM will conduct at least six audits during FY 2012 to monitor compliance with property requirements for data entry and updating.

Agreed-to Completion Date: September 30, 2012

Recommendation 4: We recommend the Assistant Administrator for Administration and Resources Management develop and implement a process that would ensure that property staffs adhere to records retention requirements.

Planned Corrective Action 3: The Agency is addressing property controls nationwide by upgrading the existing online training program for custodial officers.

Agreed-to Completion Date: April 30, 2012

Planned Corrective Action 4: During FY 2012, OARM will conduct a training course for all Agency property personnel that will include all aspects of property policy and procedures.

Agreed-to Completion Date: July 30, 2012

Planned Corrective Action 5: During FY 2012, OARM will establish a certification program to provide evidence that all accountable areas are following Agency policy to maintain the required documentation for the specified period of time.

Agreed-to Completion Date: October 31, 2012

Planned Corrective Action 6: OARM will include a review of records retention documentation in a minimum of six annual field audits.

Agreed-to Completion Date: November 30, 2012

Action Office: ORD
Report Title: Procedural Review of EPA's Greenhouse Gases Endangerment Finding Data Quality Processes
Report No.: 11-P-0702
Date Issued: 09/26/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Research and Development direct the EPA Science Policy Council to revise the flowchart on page 2 of EPA's *Peer Review Handbook* to ensure that the flowchart accurately depicts OMB requirements for external peer review of highly influential scientific assessments.

Planned Corrective Actions: Office of the Science Advisor staff will develop a modification, as appropriate, to the flow chart on Page 2 of EPA's *Peer Review Handbook* to clarify as needed the OMB requirements for external peer review of highly influential scientific assessments. The modified flow chart will be reviewed by the Agency's Peer Review Advisory Group. EPA's Science Advisor will then submit the modified flow chart to EPA's Science and Technology Policy Council (formerly the Science Policy Council) for concurrence and incorporation into EPA's *Peer Review Handbook*.

Agreed-to Completion Date: June 30, 2012

Recommendation 2: We recommend that the Assistant Administrator for Research and Development direct the EPA Science Policy Council to instruct program offices that, when using influential scientific information or highly influential scientific assessments supporting an action, to:

- (a) Include language in the preamble of proposed and final rules that specifically states that the action was supported by influential scientific information or a highly influential scientific assessment, and certifies that EPA conducted a peer review of the supporting information in accordance with OMB's Final Information Quality Bulletin for Peer Review.
- (b) Include a compliance statement in its action memoranda stating that the Agency followed its peer review policy.

Planned Corrective Actions: EPA's Science Advisor and the Associate Administrator for Policy will issue a joint memorandum to the Agency's Assistant and Regional Administrators reiterating the use of language from the Agency's peer handbook (Attachment A, Page C-3) for the preambles of proposed and final rules (actions) that specifically states: (a) whether the action was supported by influential scientific information or a highly influential scientific assessment, and (b) whether or not a peer review of supporting information was conducted in accordance with EPA's *Peer Review Handbook*. EPA's Science Advisor and the Associate Administrator for Policy will issue a joint memorandum to the Agency's Assistant and Regional Administrators reiterating that, when using influential scientific information or a highly influential scientific assessment supporting an action, to include a compliance statement in their action

memoranda stating that the Agency followed its peer review policy (as required by the Agency's Peer Handbook Attachment B Page C-6).

Agreed-to Completion Date: June 30, 2012

Recommendation 3: We recommend that the Assistant Administrator for Research and Development revise EPA's guidance document, *A Summary of General Assessment Factors for Evaluating the Quality of Scientific and Technical Information*, to establish minimum review and documentation requirements for assessing and accepting data from other organizations.

Planned Corrective Action 1: A workgroup under the auspices of the Science and Technology Policy Council will evaluate existing EPA review and documentation requirements for assessing and accepting data from third party organizations. The workgroup will develop modifications to be made to EPA's guidance document, *A Summary of General Assessment Factors for Evaluating the Quality of Scientific and Technical Information*, to include minimum review and documentation requirements for assessing and accepting data from third party organizations.

Agreed-to Completion Date: April 27, 2012

Planned Corrective Action 2: The workgroup will submit the modifications to the Science and Technology Policy Council for concurrence and approval.

Agreed-to Completion Date: June 30, 2012

Planned Corrective Action 3: An update to EPA's guidance document, *A Summary of General Assessment Factors for Evaluating the Quality of Scientific and Technical Information*, will be finalized and published by the Deputy Director, Office of the Science Advisor, to include as appropriate minimum review and documentation requirements for assessing and accepting data from third party organizations.

Agreed-to Completion Date: December 31, 2012

Action Office: OARM and OCFO
Report Title: EPA Should Improve Timeliness for Resolving Audits Under Appeal
Report No.: 11-P-0687
Date Issued: 09/21/2011

Recommendations

Recommendation 1: We recommend that the Chief Financial Officer in coordination with the Assistant Administrator for Administration and Resources Management, ensure that the in-process revisions to *EPA Manual 2750* include:

- (a) A communication strategy among audit follow-up, counsel, and grants management at the region and headquarters levels to assure entry in MATS of the current status of each audit under appeal
- (b) Limits on the number of times a recipient may request reconsideration of any decision of the Regional Administrator or Assistant Administrator
- (c) Consistency among policies for resolving audits under appeal and inclusion of:
 - i. Time lines and milestones for each step of the resolution process
 - ii. Limits on the number of times that extensions may be granted and the number of times that the grantee may submit additional documentation
 - iii. In-house monthly review by the responsible counsel and grants management organizations of the status of the resolution of audits under appeal

Planned Corrective Action 1: OCFO anticipated that the Office of Grants and Debarment would complete the draft of the assistance agreement audit appeals resolution procedures by the end of the 2nd Quarter FY 2012, which is planned for March 31, 2012.

Agreed-to Completion Date: March 31, 2012 (corrective action will be considered past due as of March 13, 2013)

Planned Corrective Action 2: OCFO anticipates that the revised *EPA Manual 2750* will be issued by the close of FY 2012, which is planned for September 30, 2012.

Agreed-to Completion Date: September 30, 2012

Planned Corrective Action 3: OCFO, working with the Office of General Counsel, also plans to amend EPA's financial assistance disputes process under Title 40 Code of Federal Regulations (Part 30, Subpart C, and Part 31, Subpart F), and anticipates that the final amendments will be issued in the Federal Register by the end of FY 2012, which is planned for September 30, 2012.

Agreed-to Completion Date: September 30, 2012

Recommendation 2: We recommend that the Assistant Administrator for Administration and Resources Management ensure that the in-process revisions to the Agency's Assistance Administration Manual include:

- (a) an update to the Office of Grants and Debarment "Closeout Policies Topics" website, adding EPA Order 5700.6A2 and labeling the Closeout Policy for Grants and Cooperative Agreements as "rescinded," "superseded," or "expired."
- (b) a reference to the procedures in *EPA Manual 2750* that are outlined in recommendation 1.
- (c) uniform procedures for resolving recipient disputes arising from the agency's assistance.

Planned Corrective Action 2: OARM will ensure that the Office of Grants and Debarment posts the new chapter in the "Assistance Administration Manual" incorporating the revised assistance agreement audit appeals resolution procedures from the revised *EPA Manual 2750*, and including a link to the revised *EPA Manual 2750* on its Intranet page.

Agreed-to Completion Date: March 31, 2012 (corrective action will be considered past due as of March 31, 2013)

Planned Corrective Action 3: OARM will ensure that the Office of Grants and Debarment issues a new chapter in the "Assistance Administration Manual" incorporating the revised assistance agreement audit appeals resolution procedures.

Agreed-to Completion Date: March 31, 2012 (corrective action will be considered past due as of March 31, 2013)

Action Office: OCFO
Report Title: EPA Needs Workload Data to Better Justify Future Workforce Levels
Report No.: 11-P-0630
Date Issued: 09/14/2011

Recommendations

Recommendation 1: We recommend that the Chief Financial Officer conduct a pilot project requiring EPA organizations to collect and analyze workload data on key project activities.

Planned Corrective Actions: OCFO is working closely with EPA’s air and water programs and their lead regions to refine and expand on FY 2011 pilot projects. The goal is to focus on specifics of how EPA organizations should collect and analyze workload data on key project activities. The short term plan is to construct a draft format for an EPA workload analytic “Table Top” tool using existing data and work already done to the extent possible. The Table Top concept (used also at the U.S. Coast Guard) is designed to be fairly high-level with a standard format for incorporating data and leveraging Subject Matter Experts knowledge and experience. Concurrently, OCFO will continue to assess potential external data sources that could inform future management decision-making.

Agreed-to Completion Date: September 30, 2012

Recommendation 2: We recommend that the Chief Financial Officer use information learned from the pilot and the ongoing contracted workload study to issue guidance to EPA program offices on:

- (a) How to collect and analyze workload data
- (b) The benefits of workload analysis
- (c) How this information should be used to prepare budget requests

Planned Corrective Actions: In developing the pilot project, EPA’s analytic team is carefully considering how a pilot would collect and verify workload data and efficiently produce results to benefit the Agency’s resource decision-making processes. OCFO plans to circulate draft tools and options for senior leadership review and feedback, and to put an approach in place to address both recommendations. EPA’s goal is to provide guidance that includes clear, practical steps for programs to use.

Agreed-to Completion Date: September 30, 2012

Action Office: OSWER and OARM
Report Title: EPA Has Not Fully Implemented a National Emergency Equipment Tracking System
Report No.: 11-P-0616
Date Issued: 09/13/11

Recommendations

Recommendation 2: We recommend that the Assistant Administrator for Solid Waste and Emergency Response determine whether the Emergency Management Portal equipment module is the most cost-efficient and functional national equipment tracking alternative.

Planned Corrective Action: Office of Emergency Management (OEM) has plans to conduct a thorough alternatives analysis, which will consider several products, including commercial and government off-the-shelf software. An outside firm that specializes in such analyses will conduct this analysis. OEM anticipates that this analysis will be conducted by June 30, 2012.

Agreed-to Completion Date: June 30, 2012

Recommendation 3: We recommend that the Assistant Administrator for Resources Management, in consultation with OSWER, develop an Agency-wide system to track emergency response equipment.¹

Agreed-to Completion Date: May 31, 2012

¹ The updated recommendation, corrective action, and agreed-to milestones for recommendation 3 were not available in MATS. OSWER, which is working in consultation with OARM, provided the OIG the agreed-to completion date.

Action Office: OSWER and ORD
Report Title: Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill
Report No.: 11-P-0534
Date Issued: 08/25/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response develop appropriate NCP Subpart J testing revisions, including proceeding with plans in place before the Deepwater Horizon oil spill, to incorporate the most appropriate efficacy testing protocol. Develop an action plan with milestones for these and any other necessary revisions and take steps to propose NCP Subpart J revisions.

Planned Corrective Actions: EPA will propose regulatory revisions to the NCP's Subpart J testing requirements. The proposed rule incorporating NCP testing requirements will appear in the Federal Register.

Agreed-to Completion Date: August 30, 2012

Recommendation 2: We recommend that the Assistant Administrator for Solid Waste and Emergency Response have the OEM Director work through the office's Nation Response Team to establish a policy that calls for periodic reviews and updates to contingency plans, after considering lessons learned from major national and international oil spills, and/or based on area trends in oil drilling.

Planned Corrective Actions: OEM is currently working with the National Response Team to develop a framework in addressing dispersants and plan reviews and updates in light of lessons learned in the Deepwater Horizon spill.

Agreed-to Completion Date: December 31, 2012

Recommendation 3: We recommend that the Assistant Administrator for Solid Waste and Emergency Response modify the NCP Product Schedule and contingency plans to include additional information (such as testing on crude oil, subsurface dispersants application, volume and duration limits, etc.) learned from the Deepwater Horizon oil spill response and use such information to revise and update Area and Regional Contingency Plans.

Planned Corrective Actions: EPA will propose regulatory revisions to the Subpart J requirements for the NCP Product Schedule and contingency planning elements are underway. The revisions will address chemical agent tests (such as dispersants) using crude oil; subsurface use of dispersants; and quantity, location, and duration of chemical agent use criteria.

Agreed-to Completion Date: August 30, 2012

Recommendation 5: We recommend that the Assistant Administrator for Solid Waste and Emergency Response develop guidance and training for a Spill of National Significance that clarifies roles and responsibilities for high-level Agency officials. Review this response and the NCP and work with federal partners to address lessons learned and include detail on how to respond to a Spill of National Significance.

Planned Corrective Action 1: EPA will look at adding language to the National Response Framework's Emergency Support Function #10 annex that will outline EPA's senior officials' likely role in a response. However, a milestone date for the Emergency Support Function #10 revision is dependent on the Federal Emergency Management Agency's plan for completing updates to the National Response Framework and its annexes under Presidential Policy Directive 8. Under Presidential Policy Directive 8, the Agency expects the Federal Emergency Management Agency to set the deadline for all Emergency Support Function coordinating agencies to update their Emergency Support Function annexes sometime during the 2012 calendar year.

Agreed-to Completion Date: December 31, 2012

Planned Corrective Action 2: EPA updated its Incident Management for Executives training, which was updated as a result of lessons learned from the Deepwater Horizon spill. The training has been presented in one region.

Agreed-to Completion Date: October 31, 2013

Planned Corrective Action 3: As a result of this training, the Agency will develop policy guidance on this issue as well.

Agreed-to Completion Date: October 31, 2013

Recommendation 6: We recommend that the Assistant Administrator for Solid Waste and Emergency Response review and analyze NCP Subpart J toxicity testing protocols to ensure that emergency responders have the information necessary for appropriate subsurface dispersant use for future oil spills.

Planned Corrective Actions: This issue is currently being addressed as part of the action to revise the requirements for Subpart J toxicity testing and criteria for listing dispersants on the NCP Product Schedule. When revisions to the Product Schedule requirements are complete, OEM will work on revisions to the Selection Guide and Technical Notebooks, which are made available to emergency responders, to ensure the necessary information is available for subsurface dispersant use on future oil spills. The proposed rule will be published in the Federal Register.

Agreed-to Completion Date: August 30, 2012

Recommendation 7: We recommend that the Assistant Administrator for Solid Waste and Emergency Response, as part of the action to review NCP Subpart J requirements, address the need to capture and maintain dispersant manufacturer production capacities, equipment requirements, and other necessary information to better prepare for future oil spills. Make this information widely available to the response community.

Planned Corrective Actions: OEM is in the process of developing amendments to the requirements in Subpart J of the NCP associated with the testing, listing, and use of chemical agents, including dispersants, on oil spills on the waters of the United States. The proposed rulemaking containing the amendments has cleared Options Selection and is in the workgroup package development state under the Agency's Action Develop Process, in compliance with the Administrative Procedures Act.

One set of elements under development in the package is proposed regulatory language that would require product manufacturers to include information on their production capabilities and equipment requirements, with their submittal to EPA to have their product listed on the Product Schedule under Subpart J of the NCP.

OEM is also examining options on the frequency of updating this information and mechanisms for making it readily available to the response community. The preferred regulatory approach and options for collection and dissemination of the information, as recommended by the OIG, will be clearly described in the proposed regulatory text and preamble. OEM will seek public comment on the approach and options and will welcome well-supported alternatives. The proposed rule is scheduled for August 2012.

Agreed-to Completion Date: August 30, 2012

Recommendation 8: We recommend that the Assistant Administrator for Research and Development Develop a research plan to address gaps on long-term health and environmental effects of dispersants.

Planned Corrective Actions: ORD is developing a longer-term research strategy to address gaps specifically related to the health and environmental effects of dispersants, as well as addressing other oil spill-related research needs.

Agreed-to Completion Date: September 30, 2012

Action Office: OCFO
Report Title: EPA's Gulf Coast Oil Spill Response Shows Need for Improved Documentation and Funding Practices
Report No.: 11-P-0527
Date Issued: 08/25/2011

Recommendations

Recommendation 1: We recommend that the Chief Financial Officer implement controls to ensure that EPA consistently generates response activity documentation that provides a clear audit trail linking response work performed to response work billed.

Planned Corrective Actions: The EPA and the U.S. Coast Guard are in negotiations to implement standard cost documentation procedures which will be used for all future inland oil spill billings.

Agreed-to Completion Date: September 30, 2012

Recommendation 2: We recommend that the Chief Financial Officer implement controls to ensure that bills and supporting cost documentation packages submitted to the Coast Guard are clear and complete, and comply with cost documentation requirements.

Planned Corrective Actions: The EPA and U.S. Coast Guard are in negotiations to establish a protocol for future sites that will include a new cost documentation procedure that ensures EPA provides the U.S. Coast Guard with the necessary documentation to support the EPA billings.

Agreed-to Completion Date: September 30, 2012

Recommendation 3: We recommend that the Deputy Administrator work with Coast Guard counterparts to develop and ensure the timely implementation of an appropriate means of sharing EPA contractors' response cost documentation designated as Confidential Business Information.

Planned Corrective Actions: The EPA and U.S. Coast Guard are in negotiations to implement a non-disclosure agreement that will cover all work performed on future sites. The OCFO is responsible for the completion of this action.

Agreed-to Completion Date: September 30, 2012

Action Office: OW
Report Title: EPA and State Oversight of ARRA Clean Water State Revolving Fund Projects
Report No.: 11-R-0519
Date Issued: 08/24/11

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Water develop and implement a plan to supplement the state inspections with EPA inspections of American Recovery and Reinvestment Act of 2009 (ARRA) projects that includes expanded testing to verify compliance with ARRA requirements.

Planned Corrective Action 1: OW is working toward developing and implementing a plan to supplement the state EPA inspections.

Agreed-to Completion Date: September 30, 2012

Recommendation 3a: We recommend that the Assistant Administrator for Water update the semiannual ARRA review checklist to include detailed questions about state oversight of project construction.

Planned Corrective Action 3a: OW is working on detailed questions about state oversight of project construction.

Agreed-to Completion Date: June 30, 2012

Recommendation 3c: We recommend that the Assistant Administrator for Water include expanded transaction testing when erroneous payments are identified.

Planned Corrective Action 3c: OW is working on questions for appropriate documentation that the assistance recipient complied with Davis-Bacon Act requirements.

Agreed-to Completion Date: June 30, 2012

Recommendation 9: We recommend that the Assistant Administrator for Water, in FYs 2011 and 2012, continue to identify the progress in completing program evaluation reports and determine whether failure to complete them, and complete them in a timely manner, should be identified as an office-level weakness.

Planned Corrective Action 9: OW will continue monitoring the progress in completing program evaluation reports.

Agreed-to Completion Date: September 30, 2012

Action Office: Region 3
Report Title: Observed Conditions at Five Deleted Superfund Sites
Report No.: 11-P-0433
Date Issued: 08/03/2011

Recommendations

Recommendation 2: We recommend that the Director, Hazardous Site Cleanup Division, EPA Region 3, instruct the Associate Director, Office of Superfund Site Remediation, EPA Region 3, to assess whether any additional action is warranted for the Middletown Road Dump and Matthews Electroplating sites.

Planned Corrective Actions: Region 3 agreed to review the OIG's data and determine whether additional work was needed at the Middletown Road Dump. Region 3 reported that, based on the review of the OIG's data, it plans to conduct a site visit to observe current conditions. Upon completion of the site visit, the region will then make a determination as to whether to conduct a policy Five-Year Review of the site.

Agreed-to Completion Date: October 31, 2011 (corrective actions will be considered past due as of October 31, 2012)

Action Office: Region 8
Report Title: An Overall Strategy Can Improve Communication Efforts at Asbestos Superfund Site in Libby, Montana
Report No.: 11-P-0430
Date Issued: 08/03/2011

Recommendations

Recommendation 1: We recommend that the EPA Regional Administrator, Region 8, ensure that Libby outreach products are readable for a general audience.

Planned Corrective Actions: Region 8 planned to revise the question-and-answer section on the Libby website to rewrite shorter responses to a 12th grade reading level, or add a 12th grade level summary of the longer, more detailed answers. The region will review all future public information materials that will be widely distributed in the community for readability using the Flesch Kincaid Grade Level Readability Formula. To the extent possible given the scientific nature of some of the information provided at the Libby Asbestos Superfund Site, the region will produce public information material that is at or lower than 12th grade level according to the Flesch formula.

Agreed-to Completion Date: June 30, 2012

Recommendation 2: We recommend that the EPA Regional Administrator, Region 8, revise the Libby community engagement plan to serve as the overall communication strategy by including:

- (a) Key messages that address specific public concerns and site activities
- (b) Timelines for community involvement activities and outreach products
- (c) Measures for successful communication
- (d) Mechanisms for identifying community concerns and collecting feedback

Planned Corrective Actions 1 and 2: Region 8 agreed to amend the community engagement plan to include a summary of the community involvement program that includes key messages that address specific community concerns, general timelines, measures for success, and mechanisms for indentifying community concerns and collecting feedback. Using the template in Section 4 of Attachment 1 for Community Involvement Plans (7) in the Community Involvement Toolkit, EPA will produce key messages in the community engagement plan that track with the major themes of EPA's work and describe how EPA will address citizen concerns identified in the community engagement plan.

Agreed-to Completion Date: June 30, 2013

Planned Corrective Actions 3: Region 8 will indentify quantifiable measures of success and report them annually. The measures will be revised as needed.

Agreed-to Completion Date: September 30, 2012

Planned Corrective Actions 4, 5, and 6: Region 8 will expand the Information Center database to track citizen complaints, questions, comments, and EPA/contractor response. It will provide a summary to the community involvement coordinator of concerns received quarterly and will track the information through a database. The region will seek ongoing feedback on community involvement through fact sheet tear-offs, meeting comment cards, suggestion boxes in the information centers, and links on the Libby website. Region 8 will track the information through a database. It will provide notification to the community of the anticipated timing of planned activities each year through the update fact sheet, announcements at the annual update meeting, a notice posted in the information center window, and on the Libby website.

Agreed-to Completion Date: June 30, 2012

Planned Corrective Action 7: Region 8 will seek public comment on the next major revision to the community involvement plan.

Agreed-to Completion Date: Within a year following the next Record of Decision or December 31, 2015, whichever comes first

Recommendation 3: We recommend that the EPA Regional Administrator, Region 8, implement a process for ongoing evaluation of Region 8's communication strategy and incorporate results into community involvement planning.

Planned Corrective Actions 1: Region 8 will conduct a customer satisfaction survey after OSWER's Information Collection Request to OMB is approved. The region will arrange with the manager of the Community Involvement and Public Initiatives Branch to notify Region 8 when the approval is received.

Agreed-to Completion Date: Six months following the receipt of OMB's approval

Planned Corrective Action 2: Region 8 will conduct a special round of community interviews.

Agreed-to Completion Date: December 31, 2012

Planned Corrective Actions 3: Region 8 will amend the community engagement plan with actions Region 8 will take to address major concerns raised in the customer satisfaction survey, interviews, tear-offs, meeting comment cards, Information Center calls, suggestion boxes, and link on the website. The region will continue to evaluate its communication efforts through ongoing use of tear-offs, meeting comment cards, Information Center calls, suggestion boxes, and the link on the website.

Agreed-to Completion Date: June 30, 2013

Action Office: ORD
Report Title: Results of Technical Network Vulnerability Assessment: EPA's National Health & Environment Effects Research Laboratory, Western Ecology Division
Report No.: 11-P-0429
Date Issued: 08/03/2011

Recommendations

Recommendation 2: We recommend that the Senior Information Official, Office of Research and Development, and Director, Enterprise Desktop Solutions Division, Office of Environmental Information, create plans of action and milestones in the Agency's Automated Security Self-Evaluation and Remediation Tracking system for all vulnerabilities that cannot be corrected within 30 days of this report.

Planned Corrective Action: ORD will create plans of action and milestones within the Agency's the Automated Security Self-Evaluation and Remediation Tracking system.

Agreed-to Completion Date: March 30, 2012 (corrective action will be considered past due as of March 30, 2013)

Action Office: ORD
Report Title: Office of Research and Development Should Increase Awareness of Scientific Integrity Policies
Report No.: 11-P-0386
Date Issued: 08/03/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Research and Development periodically test the effectiveness of controls to address scientific integrity and research misconduct.

Planned Corrective Action: ORD's Management Integrity Program has recently implemented a new risk assessment protocol. The risk assessment protocol is centered on program operations and facilitates the periodic testing of controls. Once the Scientific Integrity Committee and Agency-wide policy have been put into place, ORD will evaluate this protocol and, if necessary, make changes so that it can be used to assess the Agency's scientific integrity and research misconduct controls.

Agreed-to Completion Date: December 31, 2012

Recommendation 2: We recommend that the Assistant Administrator for Research and Development work with Agency offices to:

- (a) Initiate proactive outreach on EPA Order 3120.5 to raise awareness of roles/responsibilities and reporting steps.
- (b) Identify staff and managers outside of ORD who should complete mandatory Principles of Scientific Integrity E-Training.

Planned Corrective Action: EPA's Scientific Integrity Committee will identify the appropriate staff that should complete the mandatory Principles of Scientific Integrity E-Training and ensure that they have completed the training. Staff and managers who will need to complete the E-training will be identified by December 31, 2011. These individuals will complete the training by September 30, 2012.

Agreed-to Completion Date: September 30, 2012

Recommendation 3: We recommend that the Assistant Administrator for Research and Development continue working with the unions to update and implement the Principles of Scientific Integrity E-Training. Changes to the course should include:

- (a) Making the e-training mandatory for all ORD staff.
- (b) Ensuring that the updated course contains real-life examples.
- (c) Creating a system for linking to current contact information for reporting instances of scientific integrity and research misconduct.

Planned Corrective Action: EPA's Scientific Integrity Committee will be charged with continuing the efforts with the unions to standardize, update, and implement the Principles of Scientific Integrity E-training. The training content will be updated by July 31, 2012. These individuals will complete the training by September 30, 2012.

Agreed-to Completion Date: September 30, 2012

Action Office: OCSPP
Report Title: EPA's Voluntary Chemical Evaluation Program Did Not Achieve Children's Health Protection Goals
Report No.: 11-P-0379
Date Issued: 07/21/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention design and implement a process to assess the safety of chemicals to children. Specifically, we recommend a new design that includes:

- a. A chemical selection process that identifies and includes the chemicals with the highest risk potential to children.
- b. A workable data collection strategy for applying the Toxic Substances Control Act regulatory authorities as appropriate.
- c. A communications strategy that interprets results and disseminates information to the public.
- d. Specific outcome measures that provide assurance the process will provide valid and timely results.

Planned Corrective Action: OCSPP has been working to address the outstanding corrective actions and concurred with our findings. EPA agreed with our recommendations related to improving its chemical selection process and developing performance measures for children's health protection. As of March 29, 2012, OCSPP had planned to complete the following steps toward the completion of their corrective action plan. These corrective actions, which are due in the future, are associated with the recommendations above:

Agreed-to Completion Dates:

- June 30, 2012 – Complete Agency preparation and review of proposed rules for lead, mercury, and formaldehyde, prior to interagency review.
- August 29, 2012 – Incorporate stakeholder comments into EPA's process for selecting priority chemicals for action in the Toxic Substances Control Act Existing Chemicals Program and identify additional priority chemicals for future action.
- November 30, 2012 – Receive and publish data from the recently amended Chemical Data Reporting Rule.
- August 29, 2012 – Identify additional priority chemicals for future action, including clear communication of factors leading to their identification as priorities and summarizing available information and potential risk.
- November 30, 2012 – Publish the data resulting from Chemical Data Reporting Rule reporting, which will highlight information on chemicals used in products intended for children.
- September 30, 2012 – Annually update EPA's goals and measures for EPA's enhanced existing chemicals program.

Action Office: OCFO
Report Title: EPA Needs to Reexamine How It Defines Its Payment Recapture Audit Program
Report No.: 11-P-0362
Date Issued: 07/19/2011

Recommendations

Recommendation 1: We recommend that the Chief Financial Officer report the results of all activities, including audits the OIG and other audit organizations conduct, when reporting on its payment recapture audit program in 2011.

Planned Corrective Actions: Questioned costs determined to be improper payments that are identified during all post-award grant reviews will be reported in the Agency Financial Report, including state and local governments, tribes, and universities. Questioned costs determined to be improper payments that are identified through OIG audits and state Single Audit reports will be reported in the Agency Financial Report.

Agreed-to Completion Date: November 15, 2011

Action Office: ORD
Report Title: Office of Research and Development Needs to Improve Its Method of Measuring Administrative Savings
Report No.: 11-P-0333
Date Issued: 07/14/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Research and Development establish a more timely and accurate system to measure its effective use of resources and to allow ORD to better manage its initiatives to reduce administrative costs.

Planned Corrective Actions: ORD senior management will meet twice a year to review current status and outline plans to attain organizational administrative staffing targets.

Agreed-to Completion Date: December 15, 2015, or until targets are reached

Action Office: OA, OECA, and OW
Report Title: Agency-Wide Application of Region 7 NPDES Program Process Improvements Could Increase EPA Efficiency
Report No.: 11-P-0315
Date Issued: 06/06/11

Recommendations

Recommendation 1: We recommend that the Deputy Administrator direct the Office of Water and the Office of Enforcement and Compliance Assurance to identify Region 7 process improvements that can be applied elsewhere, considering the cost and benefit of implementation. These actions include:

- a. Earlier resolution of technical issues and communication;
- b. Combining permitting and enforcement oversight reviews of the states;
- c. Implementing coordinated and integrated strategic planning nationwide for the National Pollutant Discharge Elimination System (NPDES) program, including consideration of the new approaches under the Clean Water Act of 1972 action plan; and
- d. Fully implementing Burden Reduction Initiatives identified during the event.

Planned Corrective Action a-2: OW will host a regional discussion on progress of any regions that implement the Region 7 techniques.

Agreed-to Completion Date: September 30, 2012

Planned Corrective Action b-1: OW will complete schedule for reviews of all states for first integrated review cycle. Pilots of the integrated reviews will be conducted this summer, the results of which will inform regional decision-making on the schedules they will develop.

Agreed-to Completion Date: March 31, 2012 (corrective action will be considered past due as of March 31, 2013)

Planned Corrective Action b-2: OW will complete pilot integrated review and initiate first cycle of integrated reviews.

Agreed-to Completion Date: October 1, 2012

Planned Corrective Action d-1: OECA will propose the NPDES Electronic Reporting Rule.

Agreed-to Completion Date: December 31, 2011 (corrective action will be considered past due as of December 31, 2012)

Recommendation 4: We recommend that the Deputy Administrator direct the Office of Policy to develop a national policy on how to plan, design, and implement business process improvement events that includes:

- a. Integration of the existing best practices identified in EPA resources, such as kits on lean, Kaizen, and value stream mapping that will address methods for overcoming common barriers to business process improvement events.
- b. Requirements on how to address barriers concerning scope, performance measures, accountability, and implementation.

Planned Corrective Action: The Office of Policy will develop an Agency memorandum that encourages the use of business process improvements for gaining efficiency and reducing the complexity of Agency processes and provides the latest integrated guide on how to plan, design, and implement effective business-process improvement events. The guide will incorporate best practices and lessons on how to address potential barriers based on the EPA's experience and learning to date.

Agreed-to Completion Date: November 30, 2011 (corrective action will be considered past due as of November 30, 2012)

Recommendation 5: We recommend that the Deputy Administrator direct the Office of Policy to establish an overall office or steering committee for advocating and overseeing business process improvement events that involve multiple Assistant Administrators and regions.

Planned Corrective Action: EPA will use its existing Executive Management Council to develop ideas for encouraging, supporting, and overseeing business-process-improvement activities across the Agency. Following consultation with the Executive Management Council, roles and responsibilities for implementing selected ideas will be clarified.

Agreed-to Completion Date: December 31, 2011 (corrective action will be considered past due as of December 31, 2012)

Recommendation 6: We recommend that the Deputy Administrator direct the Office of Policy to work with other EPA offices to coordinate and carry out business process improvement events until the Office of Policy finalizes the policy developed pursuant to Recommendation 4.

Planned Corrective Action: The Office of Policy will continue to coordinate with and assist other EPA offices and states as they plan, implement, and communicate business-process improvement events through the provision of information, tools and services, such as identifying qualified "lean" contractors and training opportunities.

Agreed-to Completion Date: Ongoing

Action Office: OEI
Report Title: EPA Has Taken Steps to Address Cyber Threats but Key Actions Remain Incomplete
Report No.: 11-P-0277
Date Issued: 06/23/2011

Recommendations

Recommendation 3: We recommend that the Assistant Administrator for Environmental Information and Chief Information Officer update the Enterprise Transition Plan Information Management segment to define actions the Agency plans to take to achieve its security target architecture.

Planned Corrective Actions: OEI plans to take steps to define actions to achieve the security target architecture in the EPA Modernization Blueprint:

(CA 2): Review/develop security target architecture.

Agreed-to Completion Date: June 15, 2012

(CA 3): Compare current security architecture to target architecture to identify gaps.

Agreed-to Completion Date: July 15, 2012

(CA 4): Develop implementation plans to close gaps.

Agreed-to Completion Date: July 1, 2013

(CA 5): Execute implementation plans.

Agreed-to Completion Date: September 15, 2013

Action Office: Region 4
Report Title: Region 4 Should Strengthen Oversight of Georgia's Concentrated Animal Feeding Operation Program
Report No.: 11-P-0274
Date Issued: 06/23/11

Recommendations

Recommendation 1: We recommend that the Assistant Administrator, EPA Region 4, implement controls between EPA Region 4 and Georgia Environmental Protection Division (GEPD) to:

- a. Require enforcement data tracking between GEPD and Region 4;
- b. Assure Concentrated Animal Feeding Operation inspections are accurate and complete; and
- c. Assure that GEPD takes timely and appropriate enforcement actions.

Planned Corrective Action a: To ensure better enforcement data tracking between the EPA and GEPD, EPA required GEPD to provide copies of all Animal Feeding Operation/ Concentrated Animal Feeding Operation formal enforcement actions to the EPA on a quarterly basis. This requirement was included in the FY 2011 106 work plan, and GEPD is committed to meeting this obligation. Staff from the EPA will follow up with GEPD regarding this information as necessary.

Agreed-to Completion Date: No date was established.

Planned Corrective Actions b: To ensure accurate and complete inspections, GEPD and the Georgia Department of Agriculture (GDA) have modified their Concentrated Animal Feeding Operation inspection report checklist to include a section to compare the actual application rate specified in the Nutrient Management Plan. Furthermore, EPA will collaborate with GEPD, GDA, and the University of Georgia in expanding and enhancing the current Concentrated Animal Feeding Operation training program to train GEPD and GDA staff and inspectors. GEPD will finalize its FY 2012 contract with GDA by October 2011, which will include provisions for the enhancement of Concentrated Animal Feeding Operation training. Additionally, EPA is committed to conducting joint inspections with GEPD and GDA during FY 2012 to ensure complete and thorough inspections are performed. EPA will focus on verifying that components required by the permit and the Nutrient Management Plan are evaluated during inspections. Specifically, EPA will focus on evaluating land application records and compare manure application records to the Nutrient Management Plans. In addition, EPA will evaluate wastewater, soil, and monitoring-well analysis records. Furthermore, EPA will ensure that calibration records for application equipment and operator certification records are current. The facility's annual report is on file and monitoring-well locations are clearly specified in the Nutrient Management Plan. EPA will report the results of the efforts to ensure accurate and complete inspections to the OIG by October 31, 2012.

Agreed-to Completion Date: October 31, 2012

Planned Corrective Action c: EPA will work with GEPD to ensure that it takes timely and appropriate enforcement actions whenever GDA documents violations. GDA has modified how it transmits inspection reports to GEPD; it will submit a scanned copy of the inspection report to the appropriate GEPD district office along with a summary of any violations to ensure violations are brought to the districts office's attention as soon as possible. EPA will monitor the formal Animal Feeding Operation/Concentrated Animal Feeding Operation enforcement actions that are reported quarterly by GEPD and evaluate the actions for timeliness and appropriateness. GEPD will submit reports to EPA 30 days after each quarter. EPA will submit a summary of the finding of GEPD's quarterly enforcement action reports to the OIG semiannually; the first report will be submitted by May 31, 2012, and the second report will be submitted by November 30, 2012.

Agreed-to Completion Date: November 30, 2012

Action Office: OCFO
Report Title: EPA Needs to Strengthen Its Management Controls Over Its Travel Authorization Process
Report No.: 11-P-0223
Date Issued: 05/10/2011

Recommendations

Recommendation 2: We recommend that the that the Chief Financial Officer request that the General Services Administration change GovTrip to prevent self-authorization of travel and include audit trails to determine who made changes to routing lists.

Planned Corrective Action: The current contract with GovTrip expires on November 12, 2013. However, EPA will most likely transition to a new service provider prior to this deadline. A routing audit trail is one of the requirements under E-Gov Travel Service 2 contract. At this time, OCFO sees updating GovTrip with the addition of a routing list as cost prohibitive.

Agreed-to Completion Date: November 12, 2013

Recommendation 4: We recommend that the that the Chief Financial Officer develop scripts to determine whether travelers are in compliance with policy for managing routing lists, run the scripts monthly, and investigate exceptions.

Planned Corrective Action(s): The routing list audit table in the Electronic Travel Systems product will allow OCFO to run a list of changes that occurred during the reporting period. OCFO would then be able to compare the list to the requests received for the same period and investigate exceptions. In the meantime, OCFO has developed a report that provides a list of vouchers where the traveler's name and the authorizer are the same. The Cincinnati Financial Management Center will run this report monthly and require additional documentation from any exceptions it produces.

Agreed-to Completion Date: November 12, 2013

Action Office: Region 4
Report Title: Oversight of North Carolina's Renewals of Thermal Variances
Report No.: 11-P-0221
Date Issued: 05/09/2011

Recommendations

Recommendation 1: We recommend the Regional Administrator, Region 4, enforce the management controls of the NPDES Memorandum of Agreement.

Planned Corrective Action: Region 4 agreed to continue to implement the Memorandum of Agreement by providing comments on and recommendations with respect to proposed Clean Water Act Section 316(a) thermal variances.

Agreed-to Completion Date: November 27, 2011 (corrective action will be considered past due as of November 27, 2012)

Recommendation 2: We recommend the Regional Administrator, Region 4, verify that thermal variances are protective of a balanced, indigenous population.

Planned Corrective Action: Region 4 identified that by the end of each permit term EPA will review each facility's data to determine if the receiving water body is able to maintain a balanced, indigenous population.

Agreed-to Completion Date: November 27, 2011 (corrective action will be considered past due as of November 27, 2012)

Action Office: OA, OEI, and OARM
Report Title: EPA Faced Multiple Constraints to Targeting Recovery Act Funds
Report No.: 11-R-0208
Date Issued: 04/11/2011

Recommendations

Recommendation 1: We recommend that the Deputy Administrator establish a clear and consistent regime that can address socioeconomic factors within the bounds of statutory and organizational constraints. Such a regime should allow the Agency to target program funds to achieve Agency-wide objectives and priorities for the inclusion of environmental justice principles in all of EPA's decisions.

Planned Corrective Action 2: Under Plan Environmental Justice 2014, the Office of the Administrator's Office of Policy will develop a nationally consistent screening tool to enhance environmental justice analysis and decision-making.

Agreed-to Completion Date: March 31, 2012 (corrective action will be considered past due as of March 31, 2013)

Planned Corrective Actions 3: Under Plan Environmental Justice 2014, OEI will develop a common mapping platform to serve as a management tool and help provide information to EPA that enhances environmental justice analysis, and supports our capabilities for place-based decision making.

Agreed-to Completion Date: September 30, 2011 (corrective actions will be considered past due as of September 30, 2012)

Planned Corrective Action 4: OARM will reiterate advice to EPA Program Offices on language in appropriate competitive grant solicitations.

Agreed-to Completion Date: September 30, 2011 (corrective action will be considered past due as of September 30, 2012)

Recommendation 2: We recommend that the Deputy Administrator identify the sources of information needed by EPA program offices and managers to assess the socioeconomic conditions in communities. Within the bounds of statutory and organizational constraints, this information should be used to identify and target opportunities for which investment and grants, program funding, or technical assistance would return the most benefits in terms of jobs needed, infrastructure improvements, or economic benefit to the community.

Planned Corrective Action 1: Under Plan Environmental Justice 2014, the Office of the Administrator's Office of Policy will develop a nationally consistent screening tool to enhance environmental justice analysis and decision-making.

Agreed-to Completion Date: March 31, 2012 (corrective action will be considered past due as of March 31, 2013)

Planned Corrective Action 2: OARM will reiterate advice to EPA Program Offices on language in appropriate competitive grant solicitations.

Agreed-to Completion Date: September 30, 2011 (corrective action will be considered past due as of September 30, 2012)

Action Office: ORD
Report Title: EPA's Small Business Innovative Research Awards Should Include Additional Certifications to Reduce Risk
Report No.: 11-N-0199
Date Issued: 03/30/2011

Recommendations

Recommendation 2: We recommend that the Assistant Administrator for Research and Development require Small Business Innovative Research funding recipients to submit the certification statement provided in Appendix B (Certification for Final Reports) with their final reports.

Planned Corrective Action: ORD will develop a new certification statement that will be added to Phase 1 and 2 contracts. ORD will require signed certifications by the awardees prior to their final report.

Agreed-to Completion Date: August 31, 2012

Action Office: OAR
Report Title: EPA Needs to Better Document Project Delays for Recovery Act Diesel Emissions Reduction Act Grants
Report No.: 11-R-0179
Date Issued: 03/28/2011

Recommendations

Recommendation 3: We recommend that the Assistant Administrator for Air and Radiation continuously document delays in baseline and advanced monitoring reports for Recovery Act Diesel Emission Reduction Act grants. Update milestones and institute corrective action plans when delays occur.

Planned Corrective Action: OAR will train project officer and grant specialists to use the form correctly to document delays. OAR will work with regions to update milestones when delays occur

Agreed-to Completion Date: March 31, 2012 (corrective action will be considered past due as of March 31, 2013)

Recommendation 5: We recommend that the Assistant Administrator for Air and Radiation, using the information in the recipient monitoring database, regularly provide reports to management on progress of projects and status of corrective action plans until the Recovery Act grants are completed.

Planned Corrective Action: OAR will oversee the monitoring database and the status of corrective action plans. OAR will regularly collect information on the status of Recovery Act grants, including the status of baseline monitoring and progress toward completion of projects. This information will be provided to management on a regular basis, until the Recovery Act grants are completed.

Agreed-to Completion Date: December 31, 2011 (corrective action will be considered past due as of December 31, 2012)²

² OAR informed the OIG that the corrective action due dates for both recommendations 3 and 5 are no longer feasible as there are presently a few ARRA grants which are still open, active grants. The Diesel Emission Reduction Act program has endeavored to reduce project delays as much as possible for all remaining ARRA Diesel Emission Reduction Act grants and anticipates that all ARRA Diesel Emission Reduction Act grants will close no later than the third quarter of FY 2013. At that time both correction actions will have been completed.

Action Office: OSWER
Report Title: EPA Promoted the Use of Coal Ash Products With Incomplete Risk Information
Report No.: 11-P-0173
Date Issued: 03/23/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response define and implement risk evaluation practices to determine the safety of the coal combustion residual beneficial uses EPA promotes.

Planned Corrective Action: OSWER plans to complete internal development of the process or evaluation hierarchy for encapsulated beneficial uses.

Agreed-to Completion Date: April 30, 2012

Planned Corrective Action: OSWER plans to complete the development of the conceptual model for evaluating risks from unencapsulated uses.

Agreed-to Completion Date: March 30, 2014

Recommendation 2: We recommend that the Assistant Administrator for Solid Waste and Emergency Response determine if further EPA action is warranted to address historical coal combustion residual structural fill applications, based on comments on the proposed rule and other information available to EPA.

Planned Correction Action: OSWER will provide milestones for determining whether further action is warranted to address historical coal combustion residual structural fill applications.

Planned Completion Date: September 28, 2012

Action Office: OA
Report Title: EPA Needs an Agency-Wide Plan to Provide Tribal Solid Waste Management Capacity Assistance
Report No.: 11-P-0171
Date Issued: 03/21/2011

Recommendations

Recommendation 1: We recommend that the Deputy Administrator for EPA develop and implement an Agency-wide plan for providing consistent and effective tribal solid waste management capacity assistance that is within the scope of EPA's authority and responsibility.

Planned Corrective Action: EPA will develop an Agency-wide plan which will address the recommendations in the OIG audit. EPA will implement the plan after issuance.

Agreed-to Completion Date: April 30, 2012.

Recommendation 2: We recommend that the Deputy Administrator for EPA require that the Agency-specific plan include:

- (a) Descriptions of the roles and responsibilities for the EPA program offices and EPA regions conducting solid waste management capacity assistance activities in Indian country.
- (b) Identification of the Agency resources required for providing solid waste management assistance activities.
- (c) Performance measures, including both output and outcome measures, to track whether its assistance is consistent and effective in developing solid waste management capacity and reducing risks from open dumps in Indian country.
- (d) Internal controls to ensure consistent data collection and consistent provision of waste management capacity assistance to tribal clients nationwide.
- (e) A process to ensure coordination between EPA program offices and regions.
- (f) A timeline specifying when the activities and outcomes outlined in the plan are expected to be accomplished.

Planned Correction Action: The Agency-wide plan will include:

- 1) A detailed description of the roles and responsibilities for each headquarters program office, as well as the regional counterparts to each program office.
- 2) Resource information for each headquarters program office and their regional counterparts, which will include both staffing and funding information.
- 3) New performance measures for consideration in the next EPA Strategic Plan. EPA intends to focus on outcome oriented measures and ensure that internal controls are a significant factor in selecting new proposed measures. EPA will also attempt to align the proposed measures with the Tribal Decision Maker's Guide and the Guidebook for Building Tribal Environmental Capacity (currently in draft form).

- 4) Specific procedural requirements for open dump assessment, and the associated data collection and data entry. EPA is also clarifying the definition of an open dump that supports the performance measure. In addition, EPA will ensure that consistent technical information is available to EPA staff and tribal program managers by evaluating all of EPA's information products relating to tribal solid waste management programs, and then making commensurate revisions to EPA's websites.
- 5) An assessment of all the existing coordination activities. The plan will propose instituting specific coordination procedures, including when and how program offices and regions should raise issues for the appropriate input and direction.
- 6) A specific timeline for all outstanding activities.

Agreed-to Completion Date: April 30, 2012

Action Office: OARM
Report Title: EPA Needs Better Agency-Wide Controls Over Staff Resources
Report No.: 11-P-0136
Date Issued: 02/22/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Administration and Resources Management establish an Agency-wide workforce program that includes controls to ensure regular reviews of positions for efficiency, effectiveness, and mission accomplishment.

Planned Corrective Action 2: OARM plans to complete the stakeholder review and comment period.

Agreed-to Completion Date: July 15, 2012

Planned Corrective Action 3: OARM plans to start the directive clearance review process.

Agreed-to Completion Date: August 31, 2012

Planned Corrective Action 4: OARM plans to submit the directive for final approval.

Agreed-to Completion Date: September 15, 2012

Planned Corrective Action 5: OARM plans to issue the position management directive.

Agreed-to Completion Date: September 30, 2012

Action Office: OSWER
Report Title: EPA Must Implement Controls to Ensure Proper Investigations Are Conducted at Brownfields Sites
Report No.: 11-P-0107
Date Issued: 02/02/2011

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Solid Waste and Emergency Response establish EPA accountability for rule-compliant all appropriate inquiries reports that are funded by Brownfields Assessment grants, including ARRA-funded all appropriate inquiries reports.

Planned Corrective Action 5: OSWER will conduct training at regional grantee meetings and conferences.

Agreed-to Completion Date: September 30, 2012

Recommendation 2: We recommend that the Assistant Administrator for Solid Waste and Emergency Response develop a plan to review post-final-rule all appropriate inquiries reports to determine the reports' compliance with all appropriate inquiries documentation requirements.

Planned Corrective Action: Regional project officers, beginning with FY 2011 assessment grants, will review grantee compliance with the Agreed Administrative Order Checklist and *All Appropriate Inquiries* report documentation requirements covered in the checklist by annually reviewing random sample of grants representing 10 percent of assessment grants under which at least one assessment was conducted during the fiscal year, beginning with grants awarded in 2011.

Agreed-to Completion Date: September 1, 2012

Action Office: Region 7
Report Title: Vapor Intrusion Health Risks at Bannister Federal Complex Not a Concern for Buildings 50 and 52, Unknown for Other Buildings
Report No.: 11-P-0048
Date Issued: 01/05/2011

Recommendations

Recommendation 2: We recommend that the Regional Administrator, Region 7, as part of continuing oversight work, assess the responsible agencies' efforts to fully evaluate the health risks from inhaling potentially contaminated air for all buildings over or within close proximity of contaminated ground water plumes at Bannister Federal Complex.

Planned Corrective Action: The General Services Administration (GSA) is currently conducting a vapor intrusion investigation in Buildings 1, 2, and 4 at the Bannister Federal Complex. Region 7, and GSA signed an Environmental Work Agreement on April 30, 2010, which establishes that Region 7 will work with GSA on the vapor intrusion investigation. Region 7 agreed to provide oversight on GSA's work to further investigate and manage environmental conditions at the Bannister Federal Complex. Region 7 will evaluate the results of GSA's four rounds of sampling for total Volatile Organic Compounds using the same consistent approach and assessment methodology utilized for evaluating Region 7's vapor intrusion investigation. Region 7's review of GSA's investigations will be made publically once completed. The planned date was April 15, 2012, which was revised to July 15, 2012. As of March 19, 2012, EPA has approved Round 1, is awaiting changes to Round 2, semi-approved Round 3, and has yet to see the initial report on Round 4.

Agreed-to Completion Date: July 15, 2012

Action Office: OCFO and OARM
Report Title: EPA Needs to Strengthen Internal Controls for Determining Workforce Levels
Report No.: 11-P-0031
Date Issued: 12/20/2010

Recommendations

Recommendation 2-1: We recommend that the Chief Financial Officer amend the Resource Management Directive 2520 and the annual planning and budget memoranda to require using workload analysis to help determine employment levels needed to accomplish Agency goals.

Planned Corrective Action: The Agency will amend Resource Management Directive 2520 to more fully describe workload-planning needs.

Agreed-to Completion Date: September 30, 2012

Recommendation 2-2: We recommend that the Chief Financial Officer require the Agency to complete a workload analysis for all critical functions to coincide with developing the strategic plan.

Planned Corrective Action 2-2: Begin quarterly progress updates to the OIG.

Agreed-to Completion Date: October 30, 2011 (corrective action will be considered past due as of October 30, 2012)

Planned Corrective Action 2-3: Review final study results from Region 1 and Region 6 pilots and external variables analysis to develop workload analyses options.

Agreed-to Completion Date: November 30, 2011 (corrective action will be considered past due as of November 30, 2012)

Planned Corrective Action 2-4: Circulate draft workload analyses options for comment.

Agreed-to Completion Date: February 29, 2012 (corrective action will be considered past due as of February 28, 2013)

Planned Corrective Action 2-5: Circulate draft workload analyses options for comment.

Agreed-to Completion Date: March 30, 2012 (corrective action will be considered past due as of March 30, 2013)

Planned Corrective Action 2-6: Present options and recommendations to senior EPA leadership.

Agreed-to Completion Date: April 30, 2012

Planned Corrective Action 2-7: Provide next steps.

Agreed-to Completion Date: June 30, 2012

Planned Corrective Action 2-8: Update OIG on next steps and major milestones.

Agreed-to Completion Date: June 30, 2012

Recommendation 4-1: We recommend that the Assistant Administrator for Administration and Resources Management, upon development of the Agency's Strategic Plan, require Agency program and regional offices to provide local-level workforce-planning data, including current year and potential shifts in the numbers of mission-critical occupation positions needed to meet strategic goals.

Planned Corrective Action: The Agency will revise the Strategic Workforce Plan to improve the linkage with the Agency's Strategic Plan and describe how workforce planning will help the Agency achieve its strategic goals. OARM plans to update the Strategic Workforce Plan in conjunction with OCFO's Resource Management Directive 2520.

Agreed-to Completion Date: February 29, 2012 (corrective action will be considered past due as of February 28, 2013)

Recommendation 4-2: We recommend that the Assistant Administrator for Administration and Resources Management summarize the local-level workforce-planning data needed to achieve each EPA strategic goal.

Planned Corrective Action: The Agency will summarize mission-critical occupation data for planning purposes and linkage to strategic goals as obtained through the Agency's budget process.

Agreed-to Completion Date: February 29, 2012 (corrective action will be considered past due as of February 28, 2013)

Recommendation 4-3: We recommend that the Assistant Administrator for Administration and Resources Management provide summarized local-level workforce-planning data, including data sorted by programmatic goal level, to Office of Budget.

Planned Corrective Action: The Agency is updating its workforce planning guidance and/or Strategic Workforce Plan. They will summarize mission-critical occupation data for planning purposes and linkage to strategic goals. A gap analysis report will be finalized by the end of February 2012 and shared with regions/program offices.

Agreed-to Completion Date: February 29, 2012 (corrective action will be considered past due as of February 28, 2013)

Action Office: OCFO and OARM
Report Title: Audit of EPA's Fiscal 2010 and 2009 Consolidated Financial Statements
Report No.: 11-1-0015
Date Issued: 11/15/2010

Recommendations

Recommendation 3: We recommend that the Office of the Chief Financial Officer require regions to report to Cincinnati Finance Center the Superfund State Contract site closeout amounts, including the final actual site costs separated by "T" and "TR1" disbursements, final state share, and the amount of refund paid or final billing.

Planned Corrective Action 2: OCFO's Office of Financial Management is developing procedures to detail EPA's process for managing the financial aspects of Superfund program remedial state cost share provisions and remedial cooperative agreements.

Agreed-to Completion Date: February 29, 2012 (corrective action will be considered past due as of February 28, 2013)

Recommendation 9: We recommend that the Assistant Administrator for Administration and Resources Management to require the Director, Facilities Management and Services Division, to adequately address and resolve the issue and determine why personal property items are missing.

Planned Corrective Action 1: Oversight/Support – Facilities Management and Services Division will meet with the Board of Survey to provide Reports of Survey regarding the status and disposition of each of the FY 2010 missing items and work towards final disposition. The Board of Survey will conduct interviews with custodial officers, managers, and employees involved with the missing items to recommend a disposition method.

Agreed-to Completion Date: October 15, 2011 (corrective action will be considered past due as of October 15, 2012)

Planned Corrective Action 6: Tracking – Facilities Management and Services Division will develop a new property tracking system. The new system will include individual as well as location tracking features. This system will also include contract property tracking features.

Agreed-to Completion Date: May 30, 2012

Action Office: OAR
Report Title: ENERGY STAR Label Needs to Assure Superior Energy Conservation Performance
Report No.: 11-P-0010
Date Issued: 10/28/2010

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Air and Radiation develop a strategic vision and program design that assures that the ENERGY STAR label represents superior energy conservation performance.

Planned Corrective Action 3: OAR will finalize the ENERGY STAR Products Program Strategic Vision: 2011 and Beyond (including refinements to ENERGY STAR program design, as appropriate).

Agreed-to Completion Date: December 31, 2011 (corrective action will be considered past due as of December 31, 2012)

Recommendation 2: We recommend that the Assistant Administrator for Air and Radiation develop a set of goals and valid and reliable measures that can accurately inform shareholders and the public of the benefits of the program.

Planned Corrective Action 2: OAR will ensure Phase I Migration of Benefits Model to Nationally Accepted Platform.

Agreed-to Completion Date: June 30, 2012

Planned Corrective Action 3: OAR will ensure Phase II Reassessment of Baselines for Core Products.

Agreed-to Completion Date: December 31, 2012

Planned Corrective Action 4: OAR will ensure finalize new goals and measures.

Agreed-to Completion Date: December 31, 2012

Action Office: OW
Report Title: EPA Lacks Internal Controls to Prevent Misuse of Emergency Drinking Water Facilities
Report No.: 11-P-0001
Date Issued: 10/12/2010

Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Water develop standard definitions for the five facility availability codes (permanent, seasonal, emergency, interim, and other).

Planned Corrective Action: EPA is currently working with state representatives to develop standard definitions for facility availability codes in the Safe Drinking Water Information System. Ongoing draft definitions are to be distributed to stakeholders for review prior to finalizing.

Agreed-to Completion Date: May 31, 2012 (corrective action will be considered past due as of May 31, 2013)

Recommendation 2-2: We recommend that the Assistant Administrator for Water develop standard operating procedures that follow EPA reporting requirements to assist the States with entering data into the Safe Drinking Water Information System/State databases.

Planned Corrective Action: Standard operating procedures are already developed, and will be adjusted, as necessary, based on recommendations of the workgroup identified under Recommendation 1. Their existing standard operating procedures will be revised where appropriate, based on the final guidance described in Recommendation 2-1.

Agreed-to Completion Date: May 31, 2012 (corrective action will be considered past due as of May 31, 2013)

Recommendation 2-3: We recommend that the Assistant Administrator for Water review the additional information included in State drinking water databases and, if appropriate, add fields to Safe Drinking Water Information System/Federal to improve the oversight of emergency facilities.

Planned Corrective Action: EPA is undergoing a comprehensive review of Safe Drinking Water Information System/Federal (federal version) and Safe Drinking Water Information System/State (state version) as we develop the next generation of the Safe Drinking Water Information System. Based on the recommendations of the EPA-State workgroup looking at the facility availability codes, we will request that the EPA-State Data Technical Advisory Committee review the Safe Drinking Water Information System/Federal data fields to determine whether further changes would be useful in providing oversight of emergency facilities. These changes would be incorporated into the revised Safe Drinking Water Information System. Office of Ground Water and Drinking Water has been involved in preliminary efforts to determine the scope for a new

data system, and will be working on the detailed requirements and business processes starting next month. As the new data system is developed, the EPA State Date Technical Advisory Committee will address our recommendations.

Agreed-to Completion Date: May 31, 2012 (corrective action will be considered past due as of May 31, 2013)

Recommendation 2-4: We recommend that the Assistant Administrator for Water assess the risk associated with the unauthorized use of emergency facilities and, if necessary, develop controls to mitigate that risk.

Planned Corrective Actions: The Agency has begun discussions with state representatives on this issue. They continue to believe that it will be very challenging to make any national or state assessment of health risk from emergency wells, since risk assumes exposure to a known contaminant. To ensure that emergency wells are reviewed on an individual and recurring basis, the Agency will issue guidance to states regarding reviewing emergency sources as part of state oversight programs, including sanitary surveys. This guidance will clarify that emergency sources should be reviewed on a recurring basis as part of routine state oversight, and that the review include an assessment of the current status of the source and the monitoring required for the source. The Office of Ground Water and Drinking Water will investigate ways to prompt state agencies to incorporate emergency sources when surveying water systems as part of their state oversight program.

Agreed-to Completion Date: May 31, 2012 (corrective actions will be considered past due as of May 31, 2013)

Action Office: OECA
Report Title: ECHO Data Quality Audit-Phase II Results: EPA Could Achieve Data Quality Rate with Additional Improvements
Report No.: 10-P-0230
Date Issued: 09/22/2010

Recommendations

Recommendation 1: We recommend that the Director of Compliance establish a management control structure to facilitate Permit Compliance System to Integrated Compliance Information System (ICIS)-NPDES conversion. The management control structure should support plans to meet milestone dates.

Planned Corrective Action: The management control structures set up for the conversion from the Permit Compliance System to ICIS will continue to be in place through the completion of the Permit Compliance System Modernization and movement of all states from the Permit Compliance System to ICIS in FY 2013.

Agreed-to Completion Date: September 30, 2013

Recommendation 5: We recommend that the Director of Compliance complete new rules that require states to report minor facility data.

Planned Corrective Action: The Agency plans to publish the final NPDES Electronic Reporting Rule in the Federal Register.

Agreed-to Completion Date: September 30, 2012

Recommendation 7: We recommend that the Director of Compliance conduct a review of the procedures used to test ICIS-NPDES programming code before it is placed into production.

Planned Corrective Action: OECA is committed to ensuring that ICIS-NPDES software is thoroughly tested prior to deployment. To that end, procedures for testing will continue to be scrutinized with each release. Testing procedures will continue through quarter 2 of FY 2013, which is the last scheduled major software release of ICIS-NPDES full batch development.

Agreed-to Completion Date: March 31, 2013

Action Office: OECA and OW
Report Title: EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement
Report No.: 10-P-0224
Date Issued: 09/14/2010

Recommendations

Recommendation 2-2: We recommend that the Deputy Administrator develop a systematic approach to identify which States have outdated or inconsistent memoranda of agreement (MOAs); renegotiate and update those MOAs using the MOA template; and secure the active involvement and final, documented concurrence of Headquarters to ensure national consistency.

Planned Corrective Action 2: OECA and OW agreed to establish criteria to identify and prioritize MOAs that present the greatest barriers to state performance and need to be updated and renegotiated.

Agreed-to Completion Date: March 31, 2012 (corrective action will be considered past due as of March 31, 2013)

Planned Corrective Actions 3: OECA and OW agreed to incorporate into regular NPDES program reviews a systematic approach to identify and review problematic MOAs based on the established criteria.

Agreed-to Completion Date: March 31, 2012 (corrective action will be considered past due as of March 31, 2013)

Planned Corrective Actions 4: OECA and OW agreed to begin review of problematic MOAs as part of the regular and periodic NPDES review process, using the new MOA template.

Agreed-to Completion Date: April 1, 2012

Planned Corrective Actions 5: Using the tracking system, OECA and OW agreed to verify that MOAs identified during the first 4-year round of integrated permitting and enforcement reviews are updated.

Agreed-to Completion Date: September 30, 2017

Recommendation 2-3: We recommend that the Deputy Administrator establish a process for reviewing MOAs on a regular basis, taking into account legislative and management changes that affect the adequacy of the MOA.

Planned Corrective Actions: See planned corrective actions number 3, above.

Agreed-to Completion Date: See completion date for corrective action number 3, above.

Action Office: ORD
Report Title: EPA's Office of Research and Development Performance Measures Need Improvement
Report No.: 10-P-0176
Date Issued: 08/04/2010

Recommendations

Recommendation 2-5: We recommend that the Assistant Administrator for Research and Development require that Board of Scientific Counselors (BOSC) program review reports include an explicit discussion of the reliability and suitability of the performance data that ORD provided to BOSC for each charge question and factor considered.

Planned Corrective Action: ORD planned to revise the BOSC Program Review Report Guidance document by June 2011 to include this recommendation (an explicit discussion of the reliability and suitability of the performance data for each charge question and factor considered). ORD prefers to implement recommendations 2-5, 2-6, and 2-7 concurrently, since they all require revisions to the BOSC Program Review Report Guidance document. There will be no BOSC program reviews before June 2011 due to the restructured research programs. ORD intends to complete these recommendations prior to the next program review, which may be before the August 31, 2012 implementation date.

Agreed-to Completion Date: August 31, 2012

Recommendation 2-6: We recommend that the Assistant Administrator for Research and Development revise ORD's guidance to BOSC for long-term goal ratings to ensure that all aspects of the summary assessment charge questions are clearly linked to the qualitative ratings definitions.

Planned Corrective Action: ORD will examine how to improve the BOSC program evaluation process. ORD will review the long-term-goal rating guidance provided to the BOSC and, to the extent appropriate, will more clearly link charge questions to the qualitative rating definitions.

Agreed-to Completion Date: August 31, 2012

Recommendation 2-7: We recommend that the Assistant Administrator for Research and Development supplement the current general long-term goal ratings definitions with program-specific milestones, and benchmarks for success, that are linked to elements in the long-term goal ratings definitions.

Planned Corrective Action: ORD, in reviewing the BOSC process, will supplement the current long-term goal rating definitions to the extent appropriate, with guidance that includes milestones and benchmarks for success.

Agreed-to Completion Date: August 31, 2012

Action Office: OAR
Report Title: Key Activities in EPA's Integrated Urban Air Toxics Strategy Remain Unimplemented
Report No.: 10-P-0154
Date Issued: 06/23/2010

Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Air and Radiation:

- a. Disclose the current status and progress made in meeting Section 112(k) of the Clean Air Act
- b. Identify the urban areas that continue to experience high or unacceptable health risks from cancer and noncancer effects, and how EPA plans to reduce risks in these areas.
- c. Address the major factors that have hindered implementation of the Integrated Urban Air Toxics Strategy, and how EPA plans to address these factors.
- d. Provide details on how the Agency intends to meet the Clean Air Act Section 112(k) requirement that at least 10 percent of Section 112 funds go to state or local agencies to support strategies to address air toxics emissions from area sources.
- e. Disclose air toxics requirements that the Agency is unable to meet through its current authorities.

Planned Corrective Action: The Agency will provide an updated report to Congress on the Urban Air Toxic Strategy.

Agreed-to Completion Date: December 16, 2011 (corrective action will be considered past due as of December 16, 2012)

Recommendation 2-2: We recommend that the Assistant Administrator for Air and Radiation determine how the Agency will measure progress in meeting the goals of the strategy. If the Assistant Administrator determines that the development and maintenance of a 1990 or similar baseline is not cost effective, EPA should develop and inform Congress of the Agency's alternative measures for assessing its progress in meeting the intent of the statutory goals.

Planned Corrective Action: The Agency will review current measures and available data to determine an appropriate progress measure.

Agreed-to Completion Date: December 16, 2011 (corrective action will be considered past due as of December 16, 2012)

Action Office: OEI
Report Title: Improvements Needed in Key EPA Information System Security Practices
Report No.: 10-P-0146
Date Issued: June 15, 2010

Recommendations

Recommendation 3d: Williams Adley recommends the Director, Office of Technology Operations and Planning, enhance the quality assurance process to verify that testing plans and procedures address the cause for testing failures.

Planned Corrective Action: The Office of Technology Operations and Planning agreed to document failures and save as an artifact in the Information Security Unified Risk Environment (InSURE) repository for enterprise systems under the Office of Technology Operations and Planning's review.

Agreed-to Completion Date: October 30, 2012

Recommendation 6: Williams Adley recommends the Director, Office of Technology Operations and Planning, develop an inventory of systems that require contingency plans and maintain the status of updates, test dates, testing results, and resolution required.

Planned Corrective Action: InSURE will house EPA's Certification and Accreditation packages, including all supporting documentation and Contingency Plans. When a Certification and Accreditation package is reviewed, any missing or inadequate documentation will be identified. A plan of action and milestones will be issued for the Contingency Plan (or what is identified). The plan(s) of action and milestones will describe vulnerabilities and will have recommendations to satisfy the Federal Information Security Management Act of 2002 requirement for the vulnerability. InSURE will track the supporting documentation received to ensure the intent of the plan of action and milestones is fulfilled. InSURE will house any partial responses until a fully accepted remediation is received. All supporting documentation will be housed inside InSURE to help maintain a centralized, safe, and retrievable documentation repository that is available to all of EPA.

Agreed-to Completion Date: October 30, 2012

Action Office: OW
Report Title: EPA Needs Procedures to Address Delayed Earmark Projects
Report No.: 10-P-0081
Date Issued: 03/22/2010

Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Water, in consultation with the Chief Financial Officer, establish a national policy that creates a response framework for dealing with unobligated earmarks.

Recommendation 3-1: We recommend that the Assistant Administrator for Water, in consultation with the Chief Financial Officer, establish a national policy that clearly identifies corrective actions for delayed projects.

Recommendation 3-2: We recommend that the Assistant Administrator for Water, in consultation with the Chief Financial Officer, create an exception reporting procedure for delayed projects to focus management attention on such cases.

Planned Corrective Action 6: The Agency's plan to begin analysis of the management plan's impact is in progress. (This action applies to all three of the above recommendations.)

Agreed-to Completion Date: October 30, 2011 (corrective action will be considered past due as of October 30, 2012)

Planned Corrective Action 7: The Agency plans to issue report describing management plan's impact. (This action applies to all three of the above recommendations.)

Agreed-to Completion Date: October 30, 2012

Action Office: OCFO
Report Title: EPA Needs to Improve Its Recording and Reporting of Fines and Penalties
Report No.: 10-P-0077
Date Issued: 03/09/2010

Recommendations

Recommendation 4-2: We recommend that the Chief Financial Officer and the Assistant Administrator for Enforcement and Compliance Assurance work together to develop a common link between ICIS and IFMS to facilitate the reconciliation of the penalty-assessed amounts in ICIS to the penalty-billed amounts in IFMS.

Recommendation 4-3: We recommend that the Chief Financial Officer and the Assistant Administrator for Enforcement and Compliance Assurance work together to perform an annual reconciliation of the penalty-assessed amounts in ICIS to the penalty-billed amounts in IFMS.

Planned Corrective Actions: OCFO and OECA planned to jointly explore potential methods and their costs for reconciling penalty data between ICIS and IFMS (and the data system that succeeds IFMS). OCFO and OECA planned to select an appropriate method for reconciliation with the intention of performing a pilot first reconciliation and then implementing it. While a “common link” field has been identified, delays in Compass and the Compass Data Warehouse have prevented OCFO and OECA from using and testing this common link as planned. OCFO is the lead action official on these corrective actions.

Agreed-to Completion Date: September 30, 2011 (corrective actions will be considered past due as of September 30, 2012)

Action Office: OCSPP
Report Title: EPA Needs a Coordinated Plan to Oversee Its Toxic Substances Control Act Responsibilities
Report No.: 10-P-0066
Date Issued: 02/17/2010

Recommendations

Recommendation 2-4: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention establish criteria and procedures outlining what chemicals or classes of chemicals will undergo risk assessments for low-level and cumulative exposure. Periodically update and revise risk assessment tools and models with latest research and technology developments.

Planned Corrective Actions 2: OCSPP agreed to initiate cumulative assessments of eight phthalates and EPA intends to lay the groundwork to consider initiating rulemaking under Toxic Substances Control Act section 6(a) to regulate the eight phthalates. In preparation for the rulemaking, EPA intends, in cooperation with the U.S. Consumer Product Safety Commission and the U.S. Food and Drug Administration, to continue to work to fully assess the use, exposure, and substitutes for these chemicals. In its further review, EPA plans to consider the future results of the cumulative assessment that will be developed by the Consumer Product Safety Commission. Further specific actions for EPA will be determined based on the results of the Consumer Product Safety Commission's and Food and Drug Administration's work. Further specific actions for EPA, such as the establishment of criteria and procedures for how OCSPP will, in the future, identify classes of chemicals to undergo assessments for low-level and cumulative exposure assessments, will be determined based on the results of the Consumer Product Safety Commission's and Food and Drug Administration's work.

Agreed-to Completion Date: December 31, 2012

Planned Corrective Actions 3: OCSPP is an active participant in an Agency-wide introspective analysis of risk assessment practices that brings Agency risk assessors and risk managers together to work toward advancing human health risk assessment focusing on selected recommendations presented in the National Research Council reports: *Science and Decisions: Advancing Risk Assessment*; *Phthalates and Cumulative Risk: The Tasks Ahead*; and *Toxicity Testing in the 21st Century: A Vision and A Strategy*. EPA plans to issue Agency guidance for the conduct of cumulative exposure assessments and OCSPP's implementation is dependent on the Agency issuing the guidance.

Agreed-to Completion Date: February 28, 2013

Recommendation 2-5: We recommend that the Assistant Administrator for Chemical Safety and Pollution Prevention develop a more detailed Toxic Substances Control Act Confidential Business Information classification guide that provides criteria for approving Confidential Business Information coverage and establishes a time limit for all Confidential Business Information requests to allow for eventual public access to health and safety data for chemicals.

Planned Corrective Actions: If legal authority is determined to exist, OCSPP will propose regulation(s) to establish sunset provisions for Confidential Business Information claims.

Agreed-to Completion Date: January 31, 2012 (corrective actions will be considered past due as of January 31, 2013)

Action Office: Region 3
Report Title: Changes in Conditions at Wildcat Landfill Superfund Site in Delaware
Call for Increased EPA Oversight
Report No.: 10-P-0055
Date Issued: 01/26/2010

Recommendations

Recommendation 2-1: We recommend that the Regional Administrator, Region 3, establish a sampling plan for the monitoring wells and surface waters that includes testing for total petroleum hydrocarbons.

Planned Corrective Actions: Beginning with its September 2009 annual sampling event at the site, EPA modified its sampling plan for the monitoring wells and surface waters at the site to include testing for total petroleum hydrocarbons (TPH). EPA will continue to monitor for TPH in each of its future annual sampling events (September 2010, September 2011, etc.) as long as is necessary to reliably establish the levels of TPH present onsite and evaluate whether petroleum hydrocarbons are present at levels that would adversely impact human health or the environment. Region 3 noted on September 29, 2011, that the Agency did not sample in September 2010 due to several factors, including the Remedial Project Manager had other priority projects that required his attention, EPA's contact at Kent County retired, and the lack of funding. The September 2011 sampling is being contracted out and is expected to be completed before the end of the year. Once the sampling is completed the program will decide whether additional sampling is needed. Sampling was completed in December 2011 and the results are being analyzed. The region will sample again in FY 2012 and it intends to analyze all results by the end of the calendar year.

Agreed-to Completion Date: March 15, 2012 (corrective actions will be considered past due as of March 15, 2013)

Recommendation 2-2: We recommend that if petroleum is found on the site above acceptable and appropriate levels, the Regional Administrator, Region 3, take action to address the contamination and amend existing site documents or generate new site documents, to ensure the site is protective of human health and the environment for current and planned land uses.

Planned Corrective Actions: Region 3 will take corrective action in response to this recommendation by including analysis for total petroleum hydrocarbons for gasoline and diesel range organics (TPH-GRO and TPH-DRO) in each of its future annual sampling events (September 2010, September 2011, etc.) as long as is necessary to reliably establish the levels of TPH present at levels that would adversely impact human health or the environment. The region will review the validated results from each of these sampling events, comparing the results to the requirements of any federal regulations or action levels specific to TPH, should those be promulgated, or to the median action level of TPH used by the states that do regulate TPH, if there is a continued lack of a federal standard. EPA will consider current and likely future site use (including any site reuse plans) in making its decision about which level of TPH would be acceptable and

appropriate. If the region's review reveals TPH present exceeding acceptable and appropriate levels, the region will take appropriate action, potentially including amending existing site documents or generating new site documents. EPA will assess the effect of the sampling results on the protectiveness determination of the site informally upon receipt of each set of validated sampling data, and formally no less frequently than once every 5 years as part of its Five-Year Review. The next Five-Year Review for the site is scheduled to be completed in July 2012. The region will formally make a protectiveness determination in the Five-Year Review, scheduled to be completed in July 2012. An informal assessment will be made of the results from December 2011 and a second sampling event (to be scheduled in 2012) to be completed by the end of the calendar year.

Agreed-to Completion Date: July 30, 2012

Recommendation 2-3: We recommend that the Regional Administrator, Region 3, formally document oversight of the site owner's plans and agreements for use of the site. This includes an evaluation and determination of the impact of construction or vegetation change on the remedy, and what modifications to the remedy and/or record of decision will be needed to support unrestricted access to portions of the site.

Planned Corrective Actions: To date, the owner's plans for the site have been quite preliminary and physical realization of those plans has been estimated by the site owner to be several years off in the future. As it awaits the owner's actions, EPA will document discussions held with the site owner regarding future plans and agreements for use of the site in the site file. As part of its plan for conducting improved oversight of the site reuse plans, EPA will contact the site owner by telephone no less often than once per calendar quarter to discuss any ongoing and planned site-related activities. The next in this series of calls will occur no later than June 30, 2010, and these discussions will continue at least once quarterly thereafter as long as EPA is aware that any changes to the site reuse plans are being contemplated. Upon receipt of a formal design plan from the site owner, EPA will complete an evaluation and determine the impact of construction or vegetation change on the remedy, and what modifications to the remedy and/or record of decision will be needed to support any changes to access to portions of the site that may be part of such a design. Since this recommendation was open ended, July 2012 was accepted to close this action.

Agreed-to Completion Date: July 30, 2012

Recommendation 2-4: We recommend that the Regional Administrator, Region 3, change the sampling protocol to include dissolved (filtered) metals analysis. Continue to require that the reporting limits for all analyses are at or below the Department of Natural Resources and Environmental Control (Delaware) standard to ensure that all contamination above the standard is detected. Assess the effect of the sampling results on the protectiveness determination of the site.

Planned Corrective Actions: Beginning with its September 2009 annual sampling event at the site, EPA modified its sampling plan for the monitoring wells and surface waters at

the site to require that the reporting limits for all analyses are at or below the Department of Natural Resources and Environmental Control standard to ensure that all contamination above the standard is detected. EPA will carry this practice forward in all future sampling events at the site. EPA will assess the effect of the sampling results on the protectiveness determination of the site informally upon receipt of each set of validated sampling data, and formally no less frequently than once every 5 years as part of its Five-Year Review. The next Five-Year Review for the site was scheduled to be completed in July 2012. The region will formally make a protectiveness determination in the Five-Year Review, scheduled to be completed in July 2012. An informal assessment will be made of the results from December 2011 and a second sampling event (to be scheduled in 2012) to be completed by December 31, 2012.

Agreed-to Completion Dates: July 30, 2012, and December 31, 2012

Action Office: Region 9
Report Title: Examination of Costs Claimed under EPA Grant X96906001 Awarded to Walker Lake Working Group, Hawthorne, Nevada
Report No.: 10-2-0054
Date Issued: 01/06/2010

Recommendations

Recommendation 2: We recommend that the Regional Administrator, Region 9, require the grantee to:

- a) Improve its procurement process to ensure compliance with Title 40 Code of Federal Regulations Part 30.
- b) Improve its internal controls to ensure that costs claimed meet documentation requirements and cost principles specified by Title 2 Code of Federal Regulations Part 230.
- c) Establish procedures to ensure that future Financial Status Reports are supported by accounting system data.

Planned Corrective Actions: Region 9 will review and test to ensure the recipient is following its procurement procedures with a future contract or any changes in budget to an existing contract. The region will continue to monitor and verify that the recipient is following its internal procedures under this assistance agreement. The region reviewed the recipient's FY 2010 interim Federal Financial Report against actual accounting data. The region will review the final Federal Financial Report against actual accounting data and will review the remaining payments along with supporting documentation.

Agreed-to Completion Date: April 30, 2012

Recommendation 3: We recommend that the Regional Administrator, Region 9, require that the following special conditions be included for the grant and future EPA awards to the grantee until the region determines that the grantee has met all applicable federal financial and procurement requirements:

- a) Payment on a reimbursement basis.
- b) Review and approval by the EPA project officer of reimbursement requests including all supporting documentation for the claims prior to payment.

Planned Corrective Actions: The Region 9 Grants Management Office and Water Division have determined to place Walker Lake Working Group on a "reimbursement" basis and to include a special condition that the recipient will provide payment support documentation to the EPA Project Officer. The region will submit a letter to the Walker Lake Working Group to notify them of review and approval by the EPA Project Officer of reimbursement requests including all supporting documentation for the claims prior to payment. The EPA Project Officer and Grant Management Specialist will evaluate after 6 months or six payment packages if the review should continue. If the review is to

continue or the project and budget period end dates are extended, a determination to continue the payment review will occur at 6-month intervals.

Agreed-to Completion Date: April 30, 2012

Action Office: OSWER
Report Title: Lack of Final Guidance on Vapor Intrusion Impedes Efforts to Address Indoor Air Risks
Report No.: 10-P-0042
Date Issued: 12/14/2009

Recommendations

Recommendation 2: We recommend the Assistant Administrator for Solid Waste and Emergency Response issue final vapor intrusion guidance(s) that incorporates information on:

- a. Updated toxicity values.
- b. A recommendation(s) to use multiple lines of evidence in evaluating and making decisions about risks from vapor intrusion.
- c. How risks from petroleum hydrocarbon vapors should be addressed.
- d. How the guidance applies to Superfund Five-Year Reviews.
- e. When or whether preemptive mitigation is appropriate.
- f. Operations and maintenance, the termination of the systems, and when institutional controls and deed restrictions are appropriate.

Planned Corrective Action: The Agency will issue final guidance(s) on vapor intrusion to seek public comment prior to initiating OMB-led interagency review.

Agreed-to Completion Date: May 31, 2013

Recommendation 3: We recommend the Assistant Administrator for Solid Waste and Emergency Response train EPA and State staff and managers and other parties on the newly updated, revised, and finalized guidance document(s).

Planned Corrective Action: The Agency is in the process of developing training materials.

Agreed-to Completion Date: May 31, 2013

Action Office: OECA
Report Title: EPA Needs a Better Strategy to Identify Violations of Section 404 of the Clean Water Act
Report No.: 10-P-0009
Date Issued: 10/26/2009

Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance, in consultation with the Assistant Administrator for Water, develop and implement a comprehensive Clean Water Act Section 404 enforcement strategy that should address, but not be limited to, the following areas:

- a. Creation of a national tracking system for complaints and referrals from the U.S. Army Corps of Engineers (Corps), as well as repeat and flagrant Section 404 violators;
- b. Improved communication and coordination between EPA headquarters/regions and Corps headquarters/districts;
- c. Barriers to enhanced interagency communication (and mechanisms to overcome these barriers) with the Corps, as well as other federal agencies (e.g., Natural Resources Conservation Service, U.S. Fish and Wildlife Service, and Civil Air Patrol);
- d. The feasibility of leveraging other Clean Water Act program resources to more systematically identify Section 404 violations;
- e. The adequacy of EPA's current performance measurement system for the Section 404 enforcement program; and
- f. Cross-training opportunities with federal, state, and other stakeholders.

Planned Corrective Action 4: In developing the strategy, EPA stated it would comprehensively evaluate the enforcement program, including each of the elements identified by corrective action, to create a more systematic, nationally consistent and effective EPA enforcement program. The OECA/Office of Civil Enforcement/Water Enforcement Division developed a draft Clean Water Act Section 404 Enforcement Strategy (Draft Strategy) and sent it to the regions for piloting in April 2011. The pilot period ended on February 29, 2012. Based on feedback from the regions during the pilot period, the OECA/Office of Civil Enforcement/Water Enforcement Division recommended to OECA's Assistant Administrators that the strategy be revised and finalized to encourage all EPA regions and Corps Districts to develop local operating procedures known as field level agreements. OECA/Office of Civil Enforcement/Water Enforcement Division also recommended that a joint EPA/Corps memo be issued that promotes cooperation on enforcement and that further encourages the development of field level agreements at all EPA regions and Corps districts that do not currently have them. In the Corrective Action Plan, corrective action 4 has a mutually agreed-to milestone of revising the enforcement strategy, as necessary. OECA/Office of Civil Enforcement/Water Enforcement Division indicated that they would revise and finalize the Draft Strategy by March 31, 2012.

Agreed-to Completion Date: March 31, 2012 (corrective action will be considered past due as of March 31, 2013)

Planned Corrective Action 5: OECA/Office of Civil Enforcement/Water Enforcement Division indicated that they will finalize the Clean Water Act Section 404 Enforcement Strategy by March 31, 2012.

Agreed-to Completion Date: March 31, 2012 (corrective action will be considered past due as of March 31, 2013)

Action Office: OECA
Report Title: EPA Oversight and Policy for High Priority Violations of Clean Air Act
Need Improvement
Report No.: 10-P-0007
Date Issued: 10/14/2009

Recommendations

Recommendation 1: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance direct EPA regions to comply with the High Priority Violation policy, and monitor and report on regions' compliance.

Planned Corrective Action 4: OECA will issue the High Priority Violation Identification Report (beginning October 12, 2012, and continuing annually).

Agreed-to Completion Date: October 1, 2012

Recommendation 3: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance implement proper management controls over High Priority Violations by (1) following the Watch List standard operating procedures, including generating trend reports and conducting national annual reviews; and (2) ensuring that Air Facility System data is accurate by documenting data inaccuracies and their disposition in regular meeting notes.

Planned Corrective Action 3: OECA is following the Watch List Standard Operating Procedures. OECA will modify the semiannual and annual reports it generates using updated metrics and currently available tools and other evaluation mechanisms (e.g., integrating Watch List reports with State Review Framework metrics). This is conducted on an ongoing basis. OECA will continue to do annual data verification of Air Facility System data, which began in December 2009, and is done annually thereafter. OECA will issue the High Priority Violation Identification Report on October 1, 2012.

Agreed-to Completion Date: October 1, 2012

Action Office: OARM
Report Title: Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privilege
Report No.: 10-P-0002
Date Issued: 10/07/2009

Recommendations

Recommendations 2b: We recommend that the Assistant Administrator for Administration and Resources Management identify and review all existing arrangements of full-time work-at-duty-station separate from the position of record, including the situation that was the subject of this review, and bring each of these arrangements into compliance with implemented EPA policy.

Planned Corrective Action 2-2: EPA headquarters program and regional offices review current arrangements (6 months from approval date of policy).

Agreed-to Completion Date: December 20, 2011 (corrective action will be considered past due as of December 20, 2012)

Planned Corrective Action 3-1: Bring any arrangements into alignment with the policy by obtaining approval through the new policy's request process or terminate the existing arrangement. (Note: the 6 months to review current arrangements is included within the 1 year for final resolution.)

Agreed-to Completion Date: June 20, 2012

Action Office: ORD
Report Title: EPA Needs an Oversight Program for Protocol Gases
Report No.: 09-P-0235
Date Issued: 09/16/2009

Recommendations

Recommendation 2-3: We recommend that the EPA Assistant Administrator for Research and Development update and maintain the EPA Traceability Protocol to meet the defined objectives of the Acid Rain, National Ambient Air Quality Standards, and other stationary source air programs.

Planned Corrective Actions: ORD will complete the clearance process and publish the revised EPA Traceability Protocol on EPA's website.

Agreed-to Completion Date: December 1, 2011 (corrective action will be considered past due as of December 1, 2012)

Action Office: OW
Report Title: EPA Needs to Accelerate Adoption of Numeric Nutrient Water Quality Standards
Report No.: 09-P-0223
Date Issued: 08/26/2009

Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Water select significant waters of national value which need numeric nutrient water quality standards to meet the requirements of the Clean Water Act.

Planned Corrective Actions: OW agreed to develop a list of factors to consider when identifying and prioritizing states and waters where EPA would undertake evaluations to determine whether numeric nutrient criteria are necessary. OW will apply this list of factors to identify the highest priority states and waters for evaluation for possible Clean Water Act Section 303(c) determinations. OW agreed to assess the availability of resources and determine the number of evaluations and possible Clean Water Act Section 303(c) determinations that can be funded. OW is conducting a state review of the data and making revisions based on state input.

Agreed-to Completion Date: December 31, 2011 (corrective actions will be considered past due as of December 31, 2012)

Recommendation 2-3: We recommend that the Assistant Administrator for Water establish EPA and State accountability for meeting milestones for adopting numeric nutrient water quality standards for those waters in the rest of the Nation that require them. EPA should do this by:

- (a) Requiring States to develop milestones based on resources available.
- (b) Reviewing those milestones and approving them as appropriate.

Recommendation 2-4: We recommend that the Assistant Administrator for Water establish metrics to gauge the actual progress made by States in adopting numeric nutrient water quality standards.

Recommendation 2-5: We recommend that the Assistant Administrator for Water ensure that the regions annually validate Water Quality Standards Action Tracking Application data.

Planned Corrective Actions: OW agreed to publish and make available on EPA's nutrient criteria website a state status review report showing a cross walk between milestones and program activity measures. Once completed, OW will continue to do this every 2 years. (These corrective actions apply to the three recommendations above.)

Agreed-to Completion Date: December 31, 2012

Action Office: OAR
Report Title: EPA Plans for Managing Counter Terrorism/Emergency Response Equipment and Protecting Critical Assets Not Fully Implemented
Report No.: 09-P-0087
Date Issued: 01/27/2009

Recommendations

Recommendation 2-5: We recommend that the Acting Assistant Administrator for the Office of Air and Radiation, in conjunction with the Office of Administration and Resources Management, monitor the upgrade of the Radiation Ambient Monitoring system against the planned schedule in the Critical Infrastructure and Key Resources Protection Plan until completed.

Planned Corrective Actions: OAR will track Radiation Ambient Monitoring system milestones in MATS and revise the information on a quarterly basis. The network will include a total of 134 monitors.

Agreed-to Completion Date: September 30, 2012

Action Office: OSWER
Report Title: EPA Should Continue Efforts to Reduce Unliquidated Obligations in Brownfields Pilot Grants
Report No.: 08-P-0265
Date Issued: 09/16/2008

Recommendations

Recommendation 3: We recommend that the Assistant Administrator for the Office of Solid Waste and Emergency Response follow up to ensure that the regions deobligate the remaining funds for the 21 grants that have ended or are scheduled to end by September 30, 2008.

Planned Corrective Action: OSWER agreed to ensure that the region deobligate the remaining funds for the Jacksonville, Florida, grant once cleanup is completed and the grant ends.

Agreed-to Completion Date: December 31, 2012

Action Office: Region 9
Report Title: Making Better Use of Stringfellow Superfund Special Accounts
Report No.: 08-P-0196
Date Issued: 07/09/2008

Recommendations

Recommendation 2: We recommend that the Region 9 Administrator reclassify or transfer to the Trust Fund, as appropriate, up to \$27.8 million (plus any earned interest less oversight costs) of the Stringfellow special accounts in annual reviews, and at other milestones including the end of FY 2010, when the record of decision is signed and the final settlement is achieved.

Planned Corrective Actions: Region 9 plans to reclassify or transfer to the EPA Hazardous Substance Superfund Trust Fund, as appropriate, up to \$27.8 million of the Stringfellow special accounts in annual reviews, and at other milestones, when the record of decision is signed and the final settlement is achieved.

Agreed-to Completion Date: December 31, 2012

Action Office: OAR
Report Title: Improvements in Air Toxics Emissions Data Needed to Conduct Residual Risk Assessments
Report No.: 08-P-0020
Date Issued: 10/31/2007

Recommendations

Recommendation 3-2: We recommend the Principal Deputy Assistant Administrator for Air and Radiation revise the Consolidated Emissions Reporting Rule to require standardized State reporting requirements and methods for calculating air toxics emissions data.

Planned Corrective Actions: OAR's plan to revise the Air Emissions Report Rule for reporting of Hazardous Air Pollutant emissions is as follows: (1) continue with its current voluntary program; (2) analyze the quality of the voluntarily submitted emissions data now that the 2005 National Air Toxics Assessment is completed, and perform the same analysis for the 2008 National Air Toxics Assessment, once it is completed; and (3) amend major and area source rules as they are reopened to add provisions requiring that facilities submit required emissions and performance data to EPA electronically. To do this plan, EPA is developing a rule to require all sources subject to Code of Federal Regulations Parts 60, 61, and 63 to electronically submit emissions data directly to the Agency. OAR is also committed to determining if any further actions are warranted.

Agreed-to Completion Date: May 15, 2012

Action Office: OECA
Report Title: Overcoming Obstacles to Measuring Compliance: Practices in Selected Federal Agencies
Report No.: 2007-P-00027
Date Issued: 06/20/2007

Recommendations

Recommendation 4: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance establish a plan of action with milestones to incorporate using statistical methods to demonstrate the results of EPA's enforcement and compliance strategies.

Planned Corrective Actions: OECA plans to incorporate the utilization of new measures in other regulated enforcement universes, as appropriate.

Agreed-to Completion Date: December 31, 2012

Action Office: Region 2
Report Title: Environmental Justice Concerns and Communication Problems Complicated
Cleaning Up Ringwood Mines/Landfill Site
Report No.: 2007-P-00016
Date Issued: 04/02/2007

Recommendations

Recommendation 2-1: We recommend that the Regional Administrator, Region 2, address the Ringwood community's perception of unfair treatment and concerns regarding completely cleaning up the site by directing his staff to ensure that the new Record of Decision includes a detailed comparison of current and prior site investigations and cleanups.

Planned Corrective Actions: Region 2 will prepare a Record of Decision that will discuss all prior investigation and cleanup action implemented at the site, and provide a comparison of the current and prior investigations and cleanup actions.

Agreed-to Completion Date: June 30, 2012

Action Office: OEI
Report Title: EPA Could Improve Controls over Mainframe Software
Report No.: 2007-P-00008
Date Issued: 01/29/2007

Recommendations

Recommendation 9: We recommend that the Director for the Office of Technology Operations and Planning complete efforts to update the *Office of Environmental Information Information Security Manual* and the *EPA Information Security Manual*. Subsequent to finalizing the changes, ensure the manuals are (1) reviewed timely by EPA management for adequacy, accuracy, and completeness; and (2) approved by EPA management in a timely manner.

Planned Corrective Action: Update the OEI Security Manual when the Agency Network Security Policy is signed and approved.

Agreed-to Completion Date: March 30, 2013

Action Office: OSWER
Report Title: EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup
Report No.: 2007-P-00002
Date Issued: 12/05/2006

Recommendations

Recommendation 1: We recommend that EPA fund and execute a comprehensive amphibole asbestos toxicity assessment to determine (1) the effectiveness of the Libby removal actions, and (2) whether more actions are necessary. The toxicity assessment should include the effects of asbestos exposure on children. The EPA Science Advisory Board should review the toxicity assessment and report to the Office of the Administrator and the Libby Community Advisory Group whether the proposed toxicity assessment can sufficiently protect human health.

Planned Corrective Action 1-1: Complete the baseline risk assessment, including the comprehensive toxicity assessment. Although OSWER indicates that it has made some progress on both assessments, OSWER informed the OIG that it will likely be delayed in completing the health risk assessment by the agreed milestone date.

Agreed-to Completion Date: September 30, 2012

Planned Corrective Action 1-2: The human health assessments based on existing data were to be completed mid-to-late 2010. These projects have been delayed because of substantial delays in government contracting. There also have been difficulties in obtaining representative exposure data for some data sets. The laboratory studies include both cultured cell tests and animal studies. The time frame for these studies has been extended due to unforeseen problems in preparing the dosing materials for animal studies, delays in government contracting, and revisions to the experimental design (particularly extension of the study time period to facilitate tumor detection in the laboratory animals). Most of the studies are anticipated to run for 3 years. Initial tests were run with various asbestos fibers, but the final Libby amphibole testing material was not available until May 2009. Thus, the laboratory studies are expected to be completed in 2012. It is anticipated that an additional 2 to 3 years (2014–2015) will be needed to assess the results of the individual studies, develop technical summary reports, and have the reports peer reviewed.

Agreed-to Completion Date: September 30, 2015

Action Office: OCFO
Report Title: EPA Can Better Manage Superfund Resources
Report No.: 2006-P-00013
Date Issued: 02/28/2006

Recommendations

Recommendation 2-3: Accounting Definitions: EPA should agree to define costs in a manner that supports management decisionmaking and improve their accounting of such resources to maximize achieving program goals.

Planned Corrective Action: OCFO will update the Funds Control Manual to describe the use of the Superfund Cost Recovery Package Imaging and On-Line System in tracking all Superfund site cleanup-related costs.

Agreed-to Completion Date: October 31, 2011 (corrective action will be considered past due as of October 31, 2012)

Action Office: OSWER
Report Title: More Information Is Needed on Toxaphene Degradation Products
Report No.: 2006-P-00007
Date Issued: 12/15/2005

Recommendations

Recommendation 1: We recommend that the Administrator direct the Assistant Administrators for Water and for Solid Waste and Emergency Response to:

- a. Develop, validate, and approve the gas chromatograph with negative ion mass spectroscopy method to analyze toxaphene degradation products, especially p26, p40, p41, p44, p50, p62, Hx-Sed, and Hp-Sed; and
- b. Use the gas chromatograph with negative ion mass spectroscopy method to analyze for toxaphene degradation products during sampling and testing at sites known to contain toxaphene, or whenever monitoring for toxaphene contamination.

Planned Corrective Action 7: OW indicated in MATS that it has completed its portion of this corrective action. OSWER agreed to post the Expanded Method 8276 on the Resource Conservation and Recovery Act Methods website to include fish.

Agreed-to Completion Date: September 15, 2012

Action Office: OECA
Report Title: Priority Enforcement Areas
Report No.: 2005-P-00024
Date Issued: 09/19/2005

Recommendations

Recommendation 2-4: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance develop an objective of having the most up-to-date and reliable data on all entities that fall under its regulatory responsibility. OECA should adopt the goals of requiring states to track, record, and report data for entities over which states have regulatory responsibility. To achieve this goal, OECA should develop a multi-state, multi-program pilot program of collecting data that states track, record, verify, and report.

Planned Corrective Action: After unsuccessful negotiating for several years with states to provide the needed data voluntarily, OECA initiated rulemaking to require the data.

Agreed-to Completion Date: September 30, 2012

Action Office: OAR
Report Title: Evaluation of Clean Air Act Title V Operation Permit Quality
Report No.: 2005-P-00010
Date Issued: 03/09/2005

Recommendations

Recommendation 2-1: We recommend that the Assistant Administrator for Air and Radiation develop and issue guidance or rulemaking on annual compliance certification content, which requires responsible officials to certify compliance with all applicable terms and conditions of the permit, as appropriate.

Planned Corrective Action: Based on recommendations from the Clean Air Act Advisory Committee Task Force on Title V Implementation, the Office of Air Quality Planning and Standards is considering a guidance document that will include, among other topics, guidance on compliance certifications. Action Official approved the extension of the corrective action based on the delay of Title V Guidance Document. The Guidance Document is delayed as a result of the limited recourses being focused on Title V Permit Petitions, New Source Review rulemaking, and Greenhouse Gas-related rulemaking.

Agreed-to Completion Date: January 31, 2012 (corrective action will be considered past due as of January 31, 2013)

Recommendation 2-2: We recommend that the Assistant Administrator for Air and Radiation issue the draft rule regarding intermittent versus continuous monitoring as it relates to annual compliance certifications and including credible evidence.

Planned Corrective Action: The Agency agreed to complete the recommended rule.

Agreed-to Completion Date: September 15, 2012

Recommendation 2-3: We recommend that the Assistant Administrator for Air and Radiation develop nationwide guidance or rulemaking, as appropriate, on the contents of statements of basis, which includes discussions of monitoring, operational requirements, regulatory applicability determinations, explanations of any conditions from previously issued permits that are not being transferred to the Title V permit, discussions of streamlining requirements, and other factual information, where advisable, including a listing of prior Title V permits issued to the same applicant at the plant, attainment status, and construction, permitting, and compliance history of the plant.

Planned Corrective Action: OAR will work with the regions to disseminate information about the positions EPA has taken on statements of basis in response to citizen program and permit petitions. OAR will also develop a plan for identifying and sharing with permitting agencies those statements of basis that represent “best practices.” This effort will be included in guidance documentation for recommendation 2-1. Action Official approved the extension of the Corrective Action based on the delay of Title V Guidance

Document. The Guidance Document is delayed as a result of the limited recourses being focused on Title V Permit Petitions, New Source Review rulemaking, and Greenhouse Gas-related rulemaking.

Agreed-to Completion Date: January 31, 2012 (corrective action will be considered past due as of January 31, 2013)

Action Office: OW
Report Title: Wastewater Management: Controlling and Abating Combined Sewer Overflows
Report No.: 2002-P-00012
Date Issued: 08/26/2002

Recommendations

Recommendation 5-1: We recommend that the Assistant Administrator for Water work with combined sewer overflow permitting authorities and communities to assure they negotiate and establish proper levels of interim monitoring of combined sewer overflow efforts to determine the impact of the project on water quality.

Planned Corrective Action: Develop final combined sewer overflow monitoring guidance.

Agreed-to Completion Date: September 30, 2012

Action Office: OECA
Report Title: Water Enforcement: State Enforcement of Clean Water Act Discharges Can Be More Effective
Report No.: 2001-P-00013
Date Issued: 08/14/2001

Recommendations

Recommendation 3-1: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance make modernizing the Permit Compliance System a high priority. Further, ensure that future systems: (a) require electronic submission and evaluation of self-monitoring reports for all dischargers, including minor facilities and storm water; and (b) track storm water permits, inspections, compliance rates, and enforcement actions.

Planned Corrective Action: OECA has initiated rulemaking to require the data.

Agreed-to Completion Date: September 30, 2012

Recommendation 3-2: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance accelerate the development of the Interim Data Exchange Format for the Permit Compliance System. Also, before proceeding further into design and development, work with the Office of Water to ensure there is an up-to-date policy statement for water system criteria.

Planned Corrective Action: Initiate rulemaking to require data submission.

Agreed-to Completion Date: September 30, 2012

Recommendation 3-5: We recommend that the Assistant Administrator for Enforcement and Compliance Assurance continue to report the Permit Compliance System as an Agency-level weakness until the modernization project is implemented and the system data is reasonably accurate and complete.

Planned Corrective Action: Report progress annually under the Federal Managers' Financial Integrity Act until ICIS-NPDES is fully implemented.

Agreed-to Completion Date: December 31, 2013

OIG Reports With Unimplemented Recommendations by Program Office as of March 31, 2012

Recommendations With Past Due Completion Dates

OARM

- 10-1-0029** Audit of 2009 and 2008 (Restated) Consolidated Financial Statements (**Recommendation 18**)
- 10-P-0002** Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privilege (**Recommendation 2a**)
- 09-P-0087** EPA Plans for Managing Counter Terrorism/Emergency Response Equipment and Protecting Critical Assets Not Fully Implemented (**Recommendation 4-1(b)**)

OCFO

- 10-1-0029** Audit of 2009 and 2008 (Restated) Consolidated Financial Statements (**Recommendations 10, 11, 27 and 32**)

Recommendations With Future Planned Completion Dates

OA

- 11-P-0708** EPA Progress on the 2007 Methamphetamine Remediation Research Act (**Recommendation 3**)
- 11-P-0315** Agency-Wide Application of Region 7 NPDES Program Process Improvements Could Increase EPA Efficiency (**Recommendations 4, 5, and 6**)
- 11-R-0208** EPA Faced Multiple Constraints to Targeting Recovery Act Funds (**Recommendations 1 and 2**)
- 11-P-0171** EPA Needs an Agency-Wide Plan to Provide Tribal Solid Waste Management Capacity Assistance (**Recommendations 1 and 2**)

OAR

- 11-R-0179** EPA Needs to Better Document Project Delays for Recovery Act Diesel Emissions Reduction Act Grants (**Recommendations 3 and 5**)
- 11-P-0010** ENERGY STAR Label Needs to Assure Superior Energy Conservation Performance (**Recommendations 1 and 2**)

- 10-P-0154 Key Activities in EPA’s Integrated Urban Air Toxics Strategy Remain Unimplemented
(Recommendations 2-1 and 2-2)
- 09-P-0087 EPA Plans for Managing Counter Terrorism/Emergency Response Equipment and Protecting
Critical Assets Not Fully Implemented **(Recommendation 2-5)**
- 08-P-0020 Improvements in Air Toxics Emissions Data Needed to Conduct Residual Risk Assessments
(Recommendation 3-2)
- 2005-P-00010 Evaluation of CAA Title V Operation Permit Quality **(Recommendation 2-1, 2-2 and 2-3)**

OARM

- 11-P-0705 EPA’s Contract Oversight and Controls Over Personal Computers Need Improvement
(Recommendations 2, 3, and 4)
- 11-P-0687 EPA Should Improve Timeliness for Resolving Audits Under Appeal **(Recommendation 2)**
- 11-P-0616 EPA Has Not Fully Implemented a National Emergency Equipment Tracking System
(Recommendation 3)
- 11-R-0208 EPA Faced Multiple Constraints to Targeting Recovery Act Funds
(Recommendations 1 and 2)
- 11-P-0136 EPA Needs Better Agency-Wide Controls Over Staff Resources
(Recommendation 1)
- 11-P-0031 EPA Needs to Strengthen Internal Controls for Determining Workforce Levels
(Recommendations 4-1, 4-2, and 4-3)
- 11-1-0015 Audit of EPA’s Fiscal 2010 and 2009 Consolidated Financial Statements **(Recommendation 9)**
- 10-P-0002 Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privilege
(Recommendations 2b)

OCFO

- 11-P-0687 EPA Should Improve Timeliness for Resolving Audits Under Appeal **(Recommendation 1)**
- 11-P-0630 EPA Needs Workload Data to Better Justify Future Workforce Levels
(Recommendations 1 and 2)
- 11-P-0527 EPA’s Gulf Coast Oil Spill Response Shows Need for Improved Documentation and Funding
Practices **(Recommendations 1, 2 and 3)**
- 11-P-0362 EPA Needs to Reexamine How It Defines Its Payment Recapture Audit Program
(Recommendation 1)
- 11-P-0223 EPA Needs to Strengthen Its Management Controls Over Its Travel Authorization Process
(Recommendations 2 and 4)
- 11-P-0031 EPA Needs to Strengthen Internal Controls for Determining Workforce Levels
(Recommendations 2-1 and 2-2)

- 11-1-0015 Audit of EPA's Fiscal 2010 and 2009 Consolidated Financial Statements (**Recommendation 3**)
- 10-P-0077 EPA Needs to Improve Its Recording and Reporting of Fines and Penalties (**Recommendations 4-2 and 4-3**)
- 2006-P-00013 EPA Can Better Manage Superfund Resources (**Recommendation 2-3**)

OCSP

- 11-P-0379 EPA's Voluntary Chemical Evaluation Program Did Not Achieve Children's Health Protection Goals (**Recommendation 1**)
- 10-P-0066 EPA Needs a Coordinated Plan to Oversee Its Toxic Substances Control Act Responsibilities (**Recommendations 2-4 and 2-5**)

OECA

- 11-P-0315 Agency-Wide Application of Region 7 NPDES Program Process Improvements Could Increase EPA Efficiency (**Recommendation 1**)
- 10-P-0230 ECHO Data Quality Audit-Phase II Results: EPA Could Achieve Data Quality Rate with Additional Improvements (**Recommendations 1, 5, and 7**)
- 10-P-0224 EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement (**Recommendations 2-2 and 2-3**)
- 10-P-0009 EPA Needs a Better Strategy to Identify Violations of Section 404 of the Clean Water Act (**Recommendation 2-1**)
- 10-P-0007 EPA Oversight and Policy for High Priority Violations of Clean Air Act Need Improvement (**Recommendations 1 and 3**)
- 2007-P-00027 Overcoming Obstacles to Measuring Compliance: Practices in Selected Federal Agencies (**Recommendation 4**)
- 2005-P-00024 Priority Enforcement Areas (**Recommendation 2-4**)
- 20001-P-00013 Water Enforcement: State Enforcement of Clean Water Act Discharges can be more Effective (**Recommendations 3-1, 3-2 and 3-5**)

OEI

- 11-R-0208 EPA Faced Multiple Constraints to Targeting Recovery Act Funds (**Recommendation 1**)
- 11-P-0705 EPA's Contract Oversight and Controls Over Personal Computers Need Improvement (**Recommendation 1**)
- 11-P-0277 EPA Has Taken Steps to Address Cyber Threats but Key Actions Remain Incomplete (**Recommendation 3**)
- 10-P-0146 Improvements Needed in Key EPA Information System Security Practices

(Recommendations 3d and 6)

2007-P-00008 EPA Could Improve Controls over Mainframe Software **(Recommendation 9)**

ORD

- 11-P-0708 EPA Progress on the 2007 Methamphetamine Remediation Research Act **(Recommendation 1)**
- 11-P-0702 Procedural Review of EPA's Greenhouse Gases Endangerment Finding Data Quality Processes **(Recommendations 1, 2, and 3)**
- 11-P-0534 Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill **(Recommendation 8)**
- 11-P-0429 Results of Technical Network Vulnerability Assessment: EPA's National Health & Environment Effects Research Laboratory, Western Ecology Division **(Recommendation 2)**
- 11-P-0386 Office of Research and Development Should Increase Awareness of Scientific Integrity Policies **(Recommendations 1, 2, and 3)**
- 11-P-0333 Office of Research and Development Needs to Improve Its Method of Measuring Administrative Savings **(Recommendation 1)**
- 11-N-0199 EPA's Small Business Innovative Research Awards Should Include Additional Certifications to Reduce Risk **(Recommendation 2)**
- 10-P-0176 EPA's Office of Research and Development Performance Measures Need Improvement **(Recommendations 2-5, 2-6, and 2-7)**
- 09-P-0235 EPA Needs an Oversight Program for Protocol Gases **(Recommendations 2-3)**

OSWER

- 11-P-0708 EPA Progress on the 2007 Methamphetamine Remediation Research Act **(Recommendations 1 and 2)**
- 11-P-0706 EPA Should Clarify and Strengthen Its Waste Management Oversight Role With Respect to Oil Spills **(Recommendations 1 and 3)**
- 11-P-0616 EPA Has Not Fully Implemented a National Emergency Equipment Tracking System **(Recommendation 2)**
- 11-P-0534 Revisions Needed to National Contingency Plan Based on Deepwater Horizon Oil Spill **(Recommendations 1, 2, 3, 5, 6, and 7)**
- 11-P-0173 EPA Promoted the Use of Coal Ash Products With Incomplete Risk Information **(Recommendations 1 and 2)**
- 11-P-0107 EPA Must Implement Controls to Ensure Proper Investigations Are Conducted at Brownfields Sites **(Recommendations 1 and 2)**

- 10-P-0042 Lack of Final Guidance on Vapor Intrusion Impedes Efforts to Address Indoor Air Risks **(Recommendations 2 and 3)**
- 08-P-0265 EPA Should Continue Efforts to Reduce Unliquidated Obligations in Brownfields Pilot Grants **(Recommendation 3)**
- 2007-P-00002 EPA Needs to Plan and Complete a Toxicity Assessment for the Libby Asbestos Cleanup **(Recommendation 1)**
- 2006-P-00007 More Information Is Needed on Toxaphene Degradation Products **(Recommendation 1)**

OW

- 11-R-0519 EPA and State Oversight of ARRA Clean Water State Revolving Fund Projects **(Recommendations 1, 3a, 3c, and 9)**
- 11-P-0315 Agency-Wide Application of Region 7 NPDES Program Process Improvements Could Increase EPA Efficiency **(Recommendation 1)**
- 11-P-0001 EPA Lacks Internal Controls to Prevent Misuse of Emergency Drinking Water Facilities **(Recommendations 2-1, 2-2, 2-3 and 2-4)**
- 10-P-0224 EPA Should Revise Outdated or Inconsistent EPA-State Clean Water Act Memoranda of Agreement **(Recommendation 2-2 and 2-3)**
- 10-P-0081 EPA Needs Procedures to Address Delayed Earmark Projects **(Recommendations 2-1, 3-1, and 3-2)**
- 09-P-0223 EPA Needs to Accelerate Adoption of Numeric Nutrient Water Quality Standards **(Recommendations 2-1, 2-3, 2-4, and 2-5)**
- 2002-P-00012 Wastewater Management: Controlling and Abating Combined Sewer Overflows **(Recommendation 5-1)**

Region 2

- 2007-P-00016 Environmental Justice Concerns and Communication Problems Complicated Cleaning Up Ringwood Mines/Landfill Site **(Recommendation 2-1)**

Region 3

- 11-P-0433 Observed Conditions at Five Deleted Superfund Sites **(Recommendation 2)**
- 10-P-0055 Changes in Conditions at Wildcat Landfill Superfund Site in Delaware Call for Increased EPA Oversight **(Recommendations 2-1, 2-2, 2-3, and 2-4)**

Region 4

- 11-P-0274 Region 4 Should Strengthen Oversight of Georgia's Concentrated Animal Feeding Operation Program **(Recommendation 1)**
- 11-P-0221 Oversight of North Carolina's Renewals of Thermal Variances **(Recommendations 1 and 2)**

Region 7

11-P-0048 Vapor Intrusion Health Risks at Bannister Federal Complex Not a Concern for Buildings 50 and 52, Unknown for Other Buildings (**Recommendation 2**)

Region 8

11-P-0430 An Overall Strategy Can Improve Communication Efforts at Asbestos Superfund Site in Libby, Montana (**Recommendations 1, 2, and 3**)

Region 9

11-P-0725 Region 9 Technical and Computer Room Security Vulnerabilities Increase Risk to EPA's Network (**Recommendations 4, 5, 6, and 7**)

10-2-0054 Examination of Costs Claimed under EPA Grant X96906001 Awarded to Walker Lake Working Group, Hawthorne, Nevada (**Recommendations 2 and 3**)

08-P-0196 Making Better Use of Stringfellow Superfund Special Accounts (**Recommendations 2**)

Unimplemented Recommendations: Current Compendium (Past Due Recommendations) Compared to 10/31/11 Compendium

Continuing Unimplemented Recommendation

- 10-P-0002** Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privileges (OARM, Recommendation 2a)
- 09-P-0087** EPA Plans for Managing Counter Terrorism/Emergency Response Equipment and Protecting Critical Assets Not Fully Implemented (OARM, Recommendation 4-1(b))

New Unimplemented Recommendations

- 10-1-0029** Audit of 2009 and 2008 (Restated) Consolidated Financial Statements (OCFO, Recommendations 10, 11, 27 and 32; OARM, Recommendation 18)

Removed Unimplemented Recommendations

Note: Removal of an unimplemented recommendation does not imply that it was verified as implemented, but rather that it was reported as being completed.

- 10-R-0057** EPA Needs Definitive Guidance for Recovery Act and Future Green Reserve Projects (OW, Recommendation 2)
- 10-P-0042** EPA's Office of Research and Development Could Better Use the Federal Managers' Financial Integrity Act to Improve Operations (ORD, Recommendation 4)
- 10-P-0009** EPA Needs a Better Strategy to Identify Violations of Section 404 of the Clean Water Act (OECA, Recommendation 2-1)
- 10-P-0002** Review of Hotline Complaint on Employee Granted Full-Time Work-at-Home Privileges (OARM, Recommendation 1)
- 2007-P-00031** Development Growth Outpacing Progress in Watershed Efforts to Restore the Chesapeake Bay (Region 3, Recommendation 1)
- 09-P-0223** EPA Needs to Accelerate Adoption of Numeric Nutrient Water Quality (OW, Recommendation 2-1)